



Setti D. Warren
Mayor

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Barney Heath
Director

MEMORANDUM

DATE: October 4, 2017

TO: Mayor Setti Warren
Ward 7 City Councilors

FROM: Barney Heath, Director, Department of Planning and Development
James Freas, Deputy Director
Jennifer Steel, Senior Environmental Planner

RE: Webster Woods Appraisal

The “Webster Woods” parcel, composed of the lands located behind the former Temple Mishkan Tefila at 300 Hammond Pond Parkway was identified in 2012–2017 Newton Open Space Plan as an important natural and recreational resource for the City of Newton. Under the leadership of the Mayor and the Ward 7 Councilors, the Conservation Division of the Planning Department has begun to review the options to permanently conserve this area for public use. An important first step in this process is a reliable appraisal of the value of the property at interest, the final copy of which is attached.

Large undeveloped parcels are exceedingly rare in Newton and represent a conservation and recreation opportunity consistent with the longstanding public use of the area and trails. The Webster Woods parcel is made even more valuable by the fact that it is surrounded by existing City- and DCR-owned conservation lands such that its conservation would contribute to the retention of a large tract of ecologically valuable forest as well as a rare opportunity for relative seclusion and quiet in a natural setting otherwise very close to Boston.

With this appraisal complete, there is time for interested parties to examine this document. With a change in administration approaching, it will be important for conversations with Boston College to occur after the election as the next Mayor as along with the Ward 7 Councilors will be pivotal.

NARRATIVE APPRAISAL REPORT

&

VALUATION ANALYSIS

PROPERTY

Property of Boston College
21.75 acres of SR1 Zoned Land
Improved with a Temple-School Building
300 Hammond Pond Parkway
Newton, Massachusetts

DATE OF VALUATION

August 3, 2017

PREPARED FOR

Jennifer Steel, Senior Environmental Planner
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

PREPARED BY

Avery Associates
282 Central Street
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October 4, 2017

Jennifer Steel, Senior Environmental Planner
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

RE: Property of Boston College
21.75 acres of SR1 Zoned Land
Improved with a Temple-School Building
300 Hammond Pond Parkway
Newton, Massachusetts

Dear Ms. Steel:

In response to your request, as outlined in the letter of engagement dated May 17, 2017, we are pleased to transmit the appraisal report detailing our estimate of the market value of portions of the fee simple interest in the subject property. This report sets forth the value conclusion, together with supporting data and reasoning which forms the basis for our conclusions.

The subject of this analysis is a 21.75 acre parcel of SR-1 zoned land, and portions thereof, located on the westerly side of Hammond Pond Parkway in Newton. The land is improved with a 64,736 sq ft masonry building formerly used as a temple and school building. The building was constructed in the mid 1950's. The building has been vacant for over 2 years. Prior to this the property was owned and utilized by Congregation Mishkan Tefila. In May of 2016 the entire 21.75 acre property was sold to Boston College. At present, a portion of the parking spaces on site are leased through June of 2018 to MASCO. The property is affected by a 99 year deed restriction, recorded in 1954, limiting use of the site, or buildings constructed thereon, to educational, religious, or non-profit recreational activities. The restriction expires on August 3, 2053.

We have been asked to estimate the value of *portions* of the property, as described below and detailed within this report, under a variety of assumptions. As a result of our analysis it is our opinion that the market values, as of August 3, 2017, subject to the extraordinary assumption, hypothetical conditions, definitions, assumptions & limiting conditions, and certifications set forth in the attached report are as follows:

1. The value of the 12.4 acre Parcel C, “as is”, subject to the existing 1954 deed restriction.
\$3,100,000
2. The value of the 12.4 acre Parcel C, subject to the hypothetical condition that the 1954 deed restriction is not enforceable or in-valid.
\$3,100,000
3. The diminution in value to the 12.4 acre Parcel C, subject to the hypothetical condition that the land is affected by a perpetual conservation restriction with public access provisions. This figure is the difference between the value “before”, unrestricted, and the value “after” with a conservation restriction in place. It represents the cost of purchasing the development rights to the land, and leaving current ownership with a parcel of land with no development potential of any kind.
\$2,200,000
4. The value of the 12.4 acre Parcel C, subject to the extraordinary assumption that a claim of “easement by prescription” is accepted, as described herein.
\$930,000
5. The value of the 3.3 acre Parcel B, “as is”, subject to the existing 1954 deed restriction.
\$1,650,000
6. The value of the 3.3 acre Parcel B, subject to the hypothetical condition that the 1954 deed restriction is not enforceable or in-valid.
\$1,650,000
7. The diminution in value to the 3.3 acre Parcel B, subject to the hypothetical condition that the land is affected by a perpetual conservation restriction with public access provisions. This figure is the difference between the value “before”, unrestricted, and the value “after” with a conservation restriction in place. It represents the cost of purchasing the development rights to the land, and leaving current ownership with a parcel of land with no development potential of any kind.
\$1,300,000
8. The value of the 3.3 acre Parcel B, subject to the extraordinary assumption that a claim of “easement by prescription” is accepted, as described herein.
\$330,000

Respectfully submitted,



Christopher H. Bowler, MAI, CRE
Massachusetts Certified General
Real Estate Appraiser #495



Jonathan H. Avery, MAI, CRE
Massachusetts Certified General
Real Estate Appraisers #26

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Addenda (in order of presentation)

- Additional Subject Property Photographs
- Subject Property Deeds
- Recorded Plan of Land
- Prescriptive Easement Legal Letter
- FEMA Flood Map Panel
- Soils Map
- Newton Building Lots Sales Summary
- Road Construction Costs
- Residential Subdivision Valuation
- Developer Survey Excerpts
- Appraisal Lexicon
- Qualifications

SUMMARY OF IMPORTANT FACTS AND CONCLUSIONS

PROPERTY ADDRESS: 300 Hammond Pond Parkway
Newton, Massachusetts 02467

OWNER OF RECORD: Trustees of Boston College

DATE OF VALUE ESTIMATE: August 3, 2017

TOTAL LAND AREA: 21.75 acres
6.05 acres Parcel A
3.30 acres Parcel B
12.40 acres Parcel C

EXISTING IMPROVEMENTS: There is a 64,736 square foot temple-school building on site, constructed in 1957 per municipal records. The building is of masonry construction and was utilized for nearly 60 years by Congregation Mishkan Tefila as a synagogue and school.

ZONING: Single Residence 1 (SR1) 25,000 sq ft minimum lot size; 140 feet minimum frontage

FLOOD ZONE: No portion of the land is within a designated flood hazard zone per FEMA Panel#250 17C 558E dated June 4, 2010.

HIGHEST AND BEST USE: The highest and best use of the 21.75 acre property is for continued institutional use, whether or not the 1954 deed restriction is in effect.

APPRAISED BY: Christopher H. Bowler, MAI, CRE
Jonathan H. Avery, MAI, CRE
Avery Associates
Post Office Box 834
282 Central Street
Acton, MA 01720

SUBJECT PROPERTY PHOTOGRAPHS

300 Hammond Pond Parkway
Newton, Massachusetts
Taken by C.H. Bowler (8/3/2017)



View Looking SW at the Secondary Entrance to 300 Hammond Pond Parkway.



View Looking NW at the Main Entrance to 300 Hammond Pond Parkway.

SUBJECT PROPERTY PHOTOGRAPHS

300 Hammond Pond Parkway
Newton, Massachusetts
Taken by C.H. Bowler (6/29/2017)



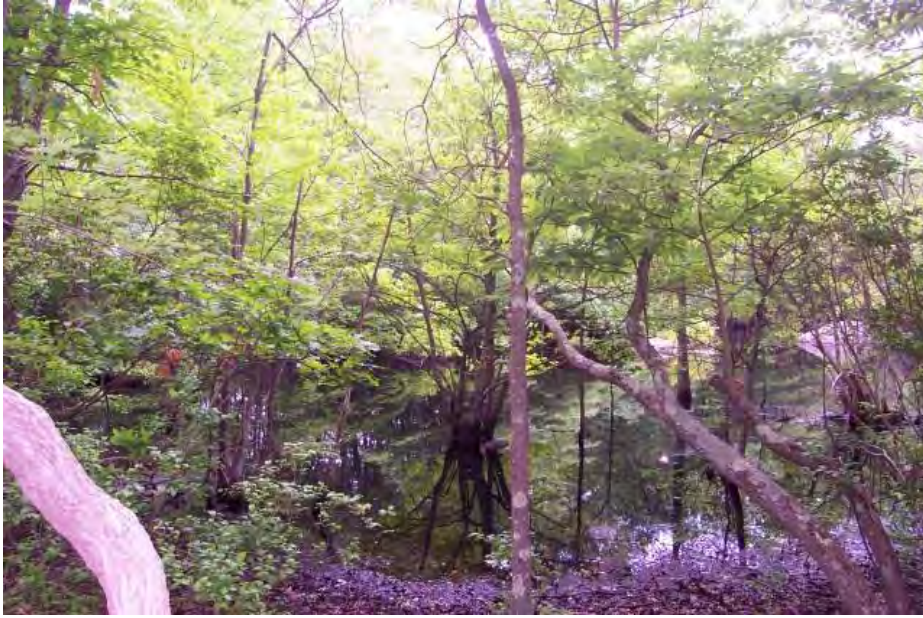
View Looking SW at a Rock Outcropping on the 3.3 Acre “Parcel B” Component of 300 Hammond Pond Parkway.



View Looking SW at the 143 Space Parking Lot on “Parcel B”.

SUBJECT PROPERTY PHOTOGRAPHS

300 Hammond Pond Parkway
Newton, Massachusetts
Taken by C.H. Bowler (8/3/2017)



View Looking Southerly at the Northern Portion of “Bare Pond”, Which is Located on the 12.4 Acre “Parcel C” Portion of 300 Hammond Pond Parkway.



View Looking Westerly at a Portion of “Parcel C”. Notice Slopes in the Land.

SUBJECT PROPERTY PHOTOGRAPHS

300 Hammond Pond Parkway
Newton, Massachusetts
Taken by C.H. Bowler (8/3/2017)



View Looking NW at the Temple/School Building on the “Parcel A” Portion of 300 Hammond Pond Parkway.



View Looking Westerly at the Parking Area on the “Parcel A” Component of 300 Hammond Pond Parkway.

SUBJECT PROPERTY PHOTOGRAPHS

300 Hammond Pond Parkway
Newton, Massachusetts



**Aerial View of the Subject Land Provided by Mass GIS/Google Earth.
Photo Dated April of 2017.**

SUBJECT PROPERTY PHOTOGRAPHS

300 Hammond Pond Parkway
Newton, Massachusetts



GIS Plan Showing Division of the Property into 3 Parcels for the Purpose of this Analysis

NARRATIVE APPRAISAL REPORT

PURPOSE OF THE APPRAISAL: The purpose of this appraisal is to estimate the market values of the fee simple interests, subject to stated restrictions if any, of two portions of the 21.75 acre property owned by the Trustees of Boston College at 300 Hammond Pond Parkway in Newton as the City considers potential preservation strategies for the land. The parcels, shown as Parcels B and C on several plans within this report, contain 3.3 and 12.4 acres respectively. The value scenarios to be estimated for this analysis are:

1. The value of the 12.4 acre Parcel C, “as is”, subject to the existing 1954 deed restriction.
2. The value of the 12.4 acre Parcel C, subject to the hypothetical condition that the 1954 deed restriction is not enforceable or in-valid.
3. The diminution in value to the 12.4 acre Parcel C, subject to the hypothetical condition that the land is affected by a perpetual conservation restriction with public access provisions. This figure is the difference between the value “before”, unrestricted, and the value “after” with a conservation restriction in place. It represents the cost of purchasing the development rights to the land, and leaving current ownership with a parcel of land with no development potential of any kind.
4. The value of the 12.4 acre Parcel C, subject to the extraordinary assumption that a claim of “easement by prescription” is accepted, as described herein.
5. The value of the 3.3 acre Parcel B, “as is”, subject to the existing 1954 deed restriction.
6. The value of the 3.3 acre Parcel B, subject to the hypothetical condition that the 1954 deed restriction is not enforceable or in-valid.
7. The diminution in value to the 3.3 acre Parcel B, subject to the hypothetical condition that the land is affected by a perpetual conservation restriction with public access provisions. This figure is the difference between the value “before”, unrestricted, and the value “after” with a conservation restriction in place. It represents the cost of purchasing the development rights to the land, and leaving current ownership with a parcel of land with no development potential of any kind.
8. The value of the 3.3 acre Parcel B, subject to the extraordinary assumption that a claim of “easement by prescription” is accepted, as described herein.

The value estimates are as of August 3, 2017. In estimating these values it has been necessary to make a careful physical inspection of the property, a review of market conditions and how they affect the subject, a review of existing zoning by-law, a review of GIS data, deed restriction information, and a claim of prescriptive easement over the rear and central portions of the 21.75 acre site.

The definition of market value and fee simple can be found in the Addenda section to this report.

CONSERVATION RESTRICTION IS DEFINED AS: According to Section 31 of Chapter 184 of the general laws of the Commonwealth of Massachusetts, a **Conservation Restriction**, also known as a conservation easement, means:

"A right, either in perpetuity or for a specified number of years, whether or not stated in the form of a restriction, easement, covenant or condition, in any deed, will or other instrument executed by or on behalf of the owner of the land or in any order of taking, appropriate to retaining land or water areas predominantly in their natural, scenic or open condition or in agricultural, farming or forest use, to permit public recreational

use, or to forbid or limit any or all (a) construction or placing of buildings, roads, signs, billboards or other advertising, utilities or other structures on or above the ground, (b) dumping or placing of soil or other offensive materials, (c) removal or destruction of trees, shrubs or other vegetation, (d) excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance in such a manner as to affect the surface, (e) surface use except for agricultural, farming, forest or outdoor recreational purposes or purposes permitting the land or water area to remain predominantly in its natural condition, (f) activities detrimental to drainage, flood control, water conservation, erosion control or soil conservation, or (g) other acts or uses detrimental to such retention of land or water areas.

EXTRAORDINARY ASSUMPTION & HYPOTHETICAL CONDITIONS

The value estimates contained herein are subject to the following assumptions and conditions, in addition to standard assumptions and limiting conditions which are contained in the Addenda to this report:

- The value estimates for Parcel C (12.4 acres) and Parcel B (3.3 acres) are based upon the hypothetical condition that these are separate, saleable parcels of land as of the date of valuation, although at present they remain part of a larger 21.75 acre parcel of land.
- We have specifically not included the terms of the parking lease to MASCO in our valuation scenarios. This is an expiring rental agreement, with less than 10 months left and affects primarily a portion of the property that is not the primary focus of this analysis.
- For the highest and best use analyses, consideration was given only to the by right uses allowed under Newton Zoning Bylaw. No consideration was given to possible development scenarios using M.G.L. Chapter 40B or through zone changes or variances.
- The estimated value of the 12.4 acre Parcel C and the 3.3 acre Parcel B, under Scenarios #2 and #6 are subject to the hypothetical condition that the 1954 deed restriction limiting the property to education, religious or recreation use for 99 years is not enforceable or in-valid.
- The estimated diminution in value to both Parcel C and Parcel B (Value Scenarios #3, #7) is subject to the hypothetical condition that a perpetual conservation restriction is in place on both parcels preventing any development of the land in the future and that public access is allowed on both parcels. As of the date of valuation no such document exists.
- The value estimates for Parcel C and B under Scenarios #4 and #8 are subject to the extraordinary assumption that a claim of “easement by prescription” or adverse possession has been accepted by the Massachusetts court of competent jurisdiction.
- The value estimates for Parcel B, assume that rights of access to Parcel C from Parcel A remain.
- The value estimates for Parcel C, assume that it has rights of access to Parcel A through Parcel B.
- The value estimates for Parcel B, assume that it has rights of access to Parcel A.

CLIENT & INTENDED USER OF REPORT: City of Newton.

INTENDED USE OF REPORT: The intended use of this appraisal is to estimate the market values of portions of the 21.75 acre property owned by the Trustees of Boston College at 300 Hammond Pond Parkway in Newton, for possible acquisition by the City of Newton.

INTEREST VALUED: Fee Simple.

DATE OF VALUATION: The effective date of valuation of this appraisal is August 3, 2017. All data, analysis, and conclusions are based upon facts in existence as of the date of valuation. This is the most recent date of inspection of the property by Mr. Bowler.

DATE OF REPORT: October 4, 2017.

SUMMARY OF THE APPRAISAL PROBLEM: We are to estimate the market value of portions of the larger, 21.75 acre property at 300 Hammond Pond Parkway under several different assumptions and conditions. The portions of 12.4 acres for the rear and 3.3 acres for the central portion of the land were drawn via GIS by the client, the City of Newton. The parcels have been labeled “A”, “B”, and “C” by the appraisers for clarity purposes. The acreage estimate for Parcel A of 6.05 acres is the remainder from the Assessors acreage estimate for the entire property, less the amounts of Parcels C and B. The parcels are shown below:



While this appraisal has not been completed for eminent domain proceedings, the premise of the valuation scenarios is similar. And the premise is that the value must reflect the fact that Parcels C and B are not stand alone, back-land parcels without road

frontage or access. Rather, each is connected to a larger parcel and has development potential (assuming no conservation restriction in place) as part of the 21.75 acre property. As such, the valuation techniques used to derive value estimates for Parcels B and C, will involve a “before” and “after” technique that estimates the entire 21.75 acre property “before” or as-is, and then estimates the value of the property “after” removing either Parcel C or Parcel B. The resulting estimate will properly reflect the impact on value to the remainder property of removing either Parcel C or Parcel B and thus would adequately reflect the value/compensation the owner of the property should receive if a sale is negotiated for one or more of these smaller parcels.

An issue with this appraisal is the uniqueness of the property type and the resulting lack of data due to this uniqueness. The subject is not an office building, or apartment complex in which data is abundant. Rather it is a former temple, school property with excess land for which there exists a 99 year deed restriction limiting the re-use of the property. Finding data for this analysis was extremely difficult. The search period and search area for sales data was expanded beyond desired guidelines, but was necessary.

With a lack of data very similar to the subject, in-depth quantitative analysis was not possible. However, the data did provide reasonable brackets from which indications of value for the property could be derived.

A benefit of the timing of this analysis is that the entire 21.75 acre property did recently sell. And by our research and verification, the sale in May of 2016 at \$20,000,000 represents an ‘arms length’ transaction between a willing buyer and a willing seller. It was helpful to the overall analysis to further breakdown this transaction into what was paid for the land and for the improvements. Using depreciation estimates and construction cost estimates, it was our conclusion that the \$20,000,000 price amounted to approximately \$14,600,000 for the land and the remainder for the depreciated improvements on site. This estimate of land value was helpful when allocating values to Parcels C and B later in the report.

A conclusion that was derived during this analysis, that was not expected, is that it is our opinion that the highest and best use of the property, regardless of the 1954 deed restriction, is for continued institutional use to include religious, educational uses on site by incorporating the existing building and parking. At the onset of this assignment a premise was that perhaps Boston College overpaid for the subject property in May of 2016. However, sales activity in Newton and other desirable communities inside the Route 128 beltway of Greater Boston suggests that non-profit, institutional users routinely pay more than developers for a property. Large, ‘campus’ like sites inside the Route 128 beltway are quite rare. And given Greater Boston’s extensive supply of colleges and non profit institutions, potential buyers for sites like the 21.75 acre subject property are numerous.

SCOPE OF THE APPRAISAL: Christopher H. Bowler, MAI, CRE inspected the subject property on June 29, 2017 with Jennifer Steel, Barney Heath and Ruthanne Fuller of the City of Newton; Al Travaglini of Boston College; and Ken Kimmel of the Friends of Webster Woods.

The interior of the building on site and the entire grounds were inspected at this time. Photographs were taken at this time and during subsequent inspections of the site only, made by Mr. Bowler on July 29th and August 3rd.

In addition to the inspections, Mr. Bowler:

- Met with members of the City of Newton Planning Department, at Newton City Hall on June 5, 2017 to discuss appraisal assignment.
- Reviewed materials provided by the Jennifer Steel regarding the subject property, which included a GIS plan showing the approximately boundaries of the 3.3 and 12.4 acre parcels being considered for acquisition by the City of Newton; and a letter dated April 12, 2016 prepared by Attorney Gordon Orloff describing possible prescriptive easements on the rear and central portions of the 21.75 acre property.
- Reviewed the Newton Zoning ByLaw and the Rules & Regulations Governing the Subdivision of Land in Newton.
- Reviewed the deeds for the subject property at the Middlesex South Registry of Deeds.
- Obtained additional information regarding the property from the Newton Assessor’s Department, the Planning Department, and the Middlesex South Registry of Deeds.
- Gathered information on comparable institutional property sales; developable land sales; and restricted land sales in the Newton area.
- Confirmed and analyzed the data and utilized Sales Comparison Analysis techniques in order to estimate the market values of the various components of the property.

The valuation process and estimates of value were reviewed and concurred with by Jonathan H. Avery, MAI, CRE.

DESCRIPTION OF REAL ESTATE APPRAISED

LEGAL DESCRIPTION - The subject of this analysis is a 21.75 acre parcel of SR-1 zoned land, and portions thereof, located on the westerly side of Hammond Pond Parkway in Newton. The land is improved with a 64,736 sq ft masonry building formerly used as a temple and school building.

The following is the address, assessors and legal references for the 21.75 acre property:

<u>Address</u>	<u>City</u>	<u>Assessors</u>			<u>Land</u>	<u>Current</u>	<u>Legal</u>
		<u>Map</u>	<u>Block</u>	<u>Lot</u>	<u>Area (ac)</u>	<u>Owner</u>	<u>Reference</u>
							<u>Bk/Pg</u>
300 Hammond Pond Parkway	Newton	65	8	3	21.75	Trustees of Boston College	67338/386

The current owner of the property, the Trustees of Boston College, purchased it from Congregation Mishkan Tefila on May 31, 2016 for a reported consideration of \$20,000,000. This sale is recorded in Book 67338 Page 386 at the Middlesex South Registry of Deeds. The subject is also shown on a plan of land recorded at the Middlesex South Registry of Deeds as Plan #1252 of 1954.

Per Congregation Mishkan Tefila president, Paul Gershkowitz, the sale initiated as a result of a drop in the size of its congregation over the years, down to about 300 in 2014. The large property was no longer needed. Ted Tye, a developer who acted as a consultant to Mishkan Tefila during the sale of the property first offered it to area developers. But the 99 year restriction that limits the use of the property to educational or religious or nonprofit recreation uses doesn't expire until 2053. This eliminated most developers who didn't think it would be possible to get restriction lifted.

Mr. Tye then indicated the congregation turned to area non-profits and schools as potential buyers, and Boston College was a logical choice. The price was reportedly negotiated based upon appraisals. The sale is considered an arms length transaction between a willing buyer and willing seller. Boston College's reported intended use for the property is for overflow parking and offices that do not need to be on the main campus.

A copy of the deed and plan referenced above can be found in the Addenda to this report.

99 Year Deed Restriction: The Congregation Mishkan Tefila purchased the land-only portion of the subject property from the Commonwealth of Massachusetts on August 3, 1954 for an undisclosed price. As part of this transaction, a deed restriction was recorded limiting use of the site, for 99 years, to educational, religious, or non-profit recreational activities. It also prevents placing any building or improvements within 20 feet of Hammond Pond Parkway. This deed restriction is recorded in Book 8300 Page 100 at the aforementioned registry of deeds. A copy of this deed can be found in the Addenda to this report.

Parking Lease/Agreement: There are 313 lined parking spaces on site. The majority are located in the front 1/3 of the site surrounding the temple building. Reportedly, 240 of the parking spaces on site are leased to MASCO (*Medical Academic and Scientific Community Organization*) through June 30, 2018 at a rate of \$230,400 per year net of real estate taxes. We were not given a copy of this lease. The information was provided via email only.

TAXES AND ASSESSMENT - The following is the current assessment and tax burden for the subject property for the current Fiscal Year 2017:

<u>Address</u>	<u>City</u>	<u>Land Area (ac)</u>	<u>Assessors</u>			<u>Current Assessment</u>	<u>FY 2017 Tax Rate</u>	<u>FY 2017</u>	
			<u>Map</u>	<u>Block</u>	<u>Lot</u>			<u>Annual R.E Taxes</u>	<u>Classification</u>
300 Hammond Pond Parkway	Newton	21.75	65	8	3	\$ 20,333,300	n/a	n/a	Exempt-Religious
						\$ 1,736,100	\$ 21.27	\$36,926.85	337-Parking Lot

Note that due to the non-profit ownership and use of the property, there are no real estate taxes due. However, the City of Newton does assign a value to the commercial parking agreement with MASCO as shown above.

The annual taxes that would be due for the entire property if not classified as "exempt-religious" would be \$226,106.30.

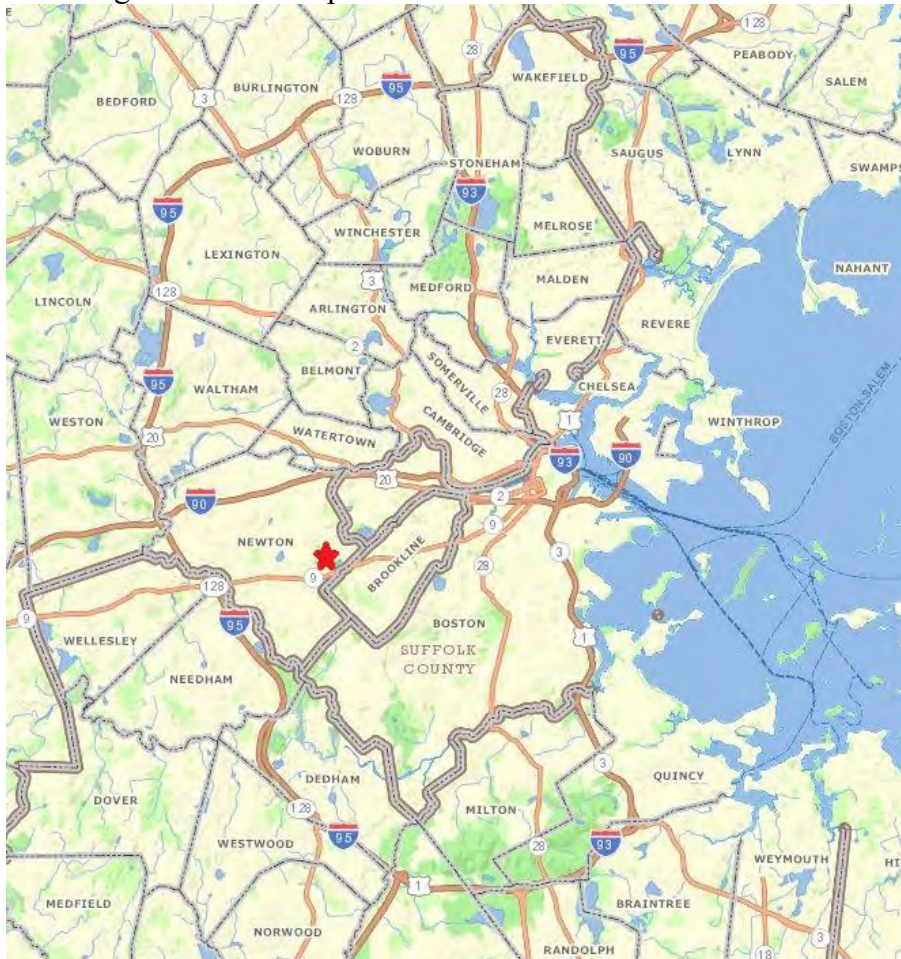
MUNICIPAL DESCRIPTION AND MARKET PROFILE

The subject is located in the eastern Middlesex County community of Newton. Surrounding communities include Needham on the southwest; Wellesley and Weston on the west; Waltham and Watertown on the north; and Brookline and Boston on the east. The population of the city as of the 2010 Federal Census was 85,186, a 1.6% increase from the 2000 figure. Downtown Boston is 6 miles east of Newton City Hall.

Newton is a vibrant, prosperous and unique community. Despite its large population, the city does not have a downtown area. Rather, it is comprised of 13 villages, each with its own central business district. The city has an excellent school system and a modern, award-winning library constructed in 1992. Although primarily a residential community, the city does have significant commercial infrastructure, located primarily along Route 128 and the Mass Pike. In addition to its convenient highway access, the city is connected to Boston via the MBTA's Green line subway system.

The city's housing stock features distinctive Victorian and Tudor architecture, not just in one location, but throughout the villages of Waban, Chestnut Hill, West Newton, and Newton Centre.

The desirable features referenced above do not come cheaply. Newton is generally a home for the affluent with an average sales price for a single family home of \$1.3 million during the 12 months prior to the date of valuation.



ECONOMIC & MARKET CONDITIONS: When completing an appraisal of real property, it is necessary to have a proper perspective of economic conditions as of the date of valuation. Economic conditions play a significant role in the price paid for real estate at any given time. As the third quarter of 2017 moves forward, the economy continues to slowly improve from the depths of the last recession in 2009. General economic conditions suggest slow economic growth, moderate job creation, healthy real estate markets, both residential and commercial, a volatile but currently positive stock market, and consumer confidence levels that suggest the American consumer is confident about economic conditions now and going forward.

We look at the following key economic indicators to gauge the economic situation as of the date of valuation:

ECONOMIC GROWTH (growth in the U.S. GDP)

	Annualized Growth Rate
2017 Q2	2.6%
2017 Q1	1.2%
2016 Annual	1.5%
2015 Annual	2.6%
2014 Annual	2.4%
2013 Annual	2.2%
2012 Annual	2.0%
2011 Annual	1.8%
2010 Annual	3.0%
2009 Annual	-2.4%

(Gross Domestic Product is the total market value of the goods and services produced by a nation's economy during a specific period of time).

EMPLOYMENT/UNEMPLOYMENT

	City of Newton	Middlesex County	Massachusetts	U.S.
Most Recent Month	3.7%	3.7%	4.3%	4.3%
United States	New Jobs Created	Unempl. Rate		
Last Mos.; July 2017	209,000	4.3%		
Average Last 12 Mos.	177,333	4.6%		

STOCK MKT. COMMODITY & INTEREST RATE TRENDS

	Beginning Price 1-Jan-17	Closing Price 3-Aug-17	Change Since 1/1/2017	S & P 500 Returns
Dow Jones Industrial	19,763	22,026	11.45%	2016 +9.53%
S&P 500	2,239	2,476	10.59%	2015 -0.72%
London Gold \$ fix/oz	1,152	1,264	9.73%	2014 +11.4%
Crude Oil \$ per barrel	53.72	49.03	-8.73%	2013 +29.6%
10 Year Treasury	2.45%	2.22%	-9.39%	2012 +13.4%
				2011 -.003%
				2010 +12.8%
				2009 +23.5%

CONSUMER CONFIDENCE

Source: Conference Board

2017	July	121.1	
2016	July	96.7	
2015	July	91.0	
2014	July	90.3	
2013	July	81.0	
2012	July	65.4	
2011	July	59.5	
2010	July	48.5	(1985=100)

CASE-SHILLER HOME PRICE INDEX

		Greater Boston	1 Year Change	Change Since Low/Peak
Current	May-17	200.8	6.1%	-----
1 Year Earlier	May-16	189.2	-----	-----
Low this Cycle	Mar-09	145.8	-----	37.71%
Previous Peak	Sep-05	182.5		

In terms of the **GDP**, the most recent figure released for the U.S. economy shows the economy expanded at 2.6% in the 2nd quarter of 2017, up from a disappointing 1.2% figure in the 1st quarter of 2017. For all of 2016 the economy expanded at a 1.5% rate, down from the 2015 figure of 2.6%. Economists suggest we are in a “2%” economy for the time being (average GDP increase annually); although we truly need to be in a “3%” economy to see a substantial rise in employment and wage growth, which have been slow to rise in the post 2008 economic recovery.

The **employment figures** show the economy has created an average of 177,333 new jobs per month for the past 12 months. This is considered moderate job growth. Most economists suggest a minimum of 150,000 new jobs is needed each month just to keep up with population growth and routine turnover. So, the 177,333 while positive, is quite modest in terms of a boost to the overall economy. Monthly job creation figures of 250,000+ are signs that a significant economic recovery is underway. We have not seen this type of job creation figure consistently over the past few years. Last month’s job creation figure of 209,000 was considered good, but again, not large enough to create an increase in wages or a significant boost to economic growth.

The **stock market** ended 2016 up 9.53% in terms of the S&P 500. Once down over 9% in terms of the S&P 500, the market recovered after several up and down periods. A post-election 2016 market rally has the stock market reaching record highs in mid 2017 with gains in the S&P 500 of 10.59% for the year as of the date of valuation.

The **consumer confidence** data shown above portrays the ups and downs of the economy over the past 7+ years. The index data is shown for July of each of the past 8 years. The most recent figure of 121.1 is a slight increase from the previous month, and is a much larger 25% increase from one year ago. Per the Conference Board, a reading above 90 translates into an economy on solid footing while a reading above 100 reflects stronger economic growth.

The **housing market** in Massachusetts has been quite strong over the past three years, gaining back all of the price/value lost during the downturn period that began in the 3rd quarter of 2005 and extended through 2008-09. During the downturn period, by several measures, prices dropped approximately 15-25% in Greater Boston. Since the 2nd quarter of 2009, the market stabilized, and in many communities, has surged back to price levels exceeding the peak index year of 2005. An index considered reliable by most is the Case-Shiller Home Price Index. This data includes only repeat sales of homes. The most recent data from the Case-Shiller Home Price Index listed on the previous page indicates that we are up 6.1% in terms of pricing from one year ago in Greater Boston.

Newton Area Residential Market Snapshot: To get a more defined look at current market conditions and where it may be headed, we have looked at MLS statistics for current listings, pending sales, and total sold relating to both single family homes and condominium units in Newton, Middlesex County, and the State as a whole. The following is a breakdown of this data:

<u>VOLUME OF SALES/LISTINGS TRENDS</u>							
				<u>PRICE TRENDS</u>			
				<u>%</u>	<u>Average</u>	<u>%</u>	
<u>ACTIVE LISTINGS-Single Family Homes</u>				<u>Change</u>	<u>Price</u>	<u>Change</u>	
		<u>#</u>					
Current Supply of SF Homes (8/3/2017)	Newton	104	Down	-11.86%	\$ 2,520,323	Up	23.36%
Supply of SF Homes (8/3/2016)	Newton	118	-----	-----	\$ 2,043,053	-----	-----
Current Supply of SF Homes (8/3/2017)	Middlesex County	1,754	Down	-13.77%	\$ 1,120,375	Up	7.26%
Supply of SF Homes (8/3/2016)	Middlesex County	2,034	-----	-----	\$ 1,044,523	-----	-----
Current Supply of SF Homes (8/3/2017)	Massachusetts	12,219	Down	-14.58%	\$ 761,305	Up	7.95%
Supply of SF Homes (8/3/2016)	Massachusetts	14,305	-----	-----	\$ 705,214	-----	-----
<u>PENDING SALES-Single Family Homes</u>							
# of SF Homes; Went Under Agrmnt; Past Year	Newton	614	Down	-3.15%	\$ 1,330,800	Up	6.39%
# of SF Homes; Went Under Agrmnt; Previous 12 mos.	Newton	634	-----	-----	\$ 1,250,821	-----	-----
# of SF Homes; Went Under Agrmnt; Past Year	Middlesex County	12,028	Down	-5.31%	\$ 647,806	Up	5.41%
# of SF Homes; Went Under Agrmnt; Previous 12 mos.	Middlesex County	12,703	-----	-----	\$ 614,576	-----	-----
# of SF Homes; Went Under Agrmnt; Past Year	Massachusetts	58,881	Down	-2.90%	\$ 467,667	Up	5.45%
# of SF Homes; Went Under Agrmnt; Previous 12 mos.	Massachusetts	60,637	-----	-----	\$ 443,510	-----	-----
<u>CLOSED SALES-Single Family Homes</u>							
Total Closed Sales of SF Homes; Past Year	Newton	553	Down	-4.66%	\$ 1,306,402	Up	5.83%
Total Closed Sales of SF Homes; Previous 12 mos.	Newton	580	-----	-----	\$ 1,234,405	-----	-----
Total Closed Sales of SF Homes; Past Year	Middlesex County	11,118	Down	-3.01%	\$ 640,145	Up	4.49%
Total Closed Sales of SF Homes; Previous 12 mos.	Middlesex	11,463	-----	-----	\$ 612,646	-----	-----
Total Closed Sales of SF Homes; Past Year	Massachusetts	52,953	Down	-0.15%	\$ 463,015	Up	4.74%
Total Closed Sales of SF Homes; Previous 12 mos.	Massachusetts	53,032	-----	-----	\$ 442,073	-----	-----
				<u>PRICE TRENDS</u>			
				<u>%</u>	<u>Average</u>	<u>%</u>	
<u>ACTIVE LISTINGS-Condominium Units</u>				<u>Change</u>	<u>Price</u>	<u>Change</u>	
		<u>#</u>					
Current Supply of Condo Units (8/3/2017)	Newton	36	Down	-29.41%	\$ 1,003,547	Up	7.11%
Supply of Condo Units (8/3/2016)	Newton	51	-----	-----	\$ 936,923	-----	-----
Current Supply of Condo Units (8/3/2017)	Middlesex County	584	Down	-15.24%	\$ 599,512	Up	4.68%
Supply of Condo Units (8/3/2016)	Middlesex County	689	-----	-----	\$ 572,689	-----	-----
Current Supply of Condo Units (8/3/2017)	Massachusetts	3,431	Down	-9.30%	\$ 663,242	Up	15.03%
Supply of Condo Units (8/3/2016)	Massachusetts	3,783	-----	-----	\$ 576,584	-----	-----
<u>PENDING SALES-Condominium Units</u>							
# of Condo Units; Went Under Agrmnt; Past Year	Newton	387	Down	-2.76%	\$ 812,600	Up	10.57%
# of Condo Units; Went Under Agrmnt; Previous 12 mos.	Newton	398	-----	-----	\$ 734,952	-----	-----
# of Condo Units; Went Under Agrmnt; Past Year	Middlesex County	6,362	Down	-4.45%	\$ 474,420	Up	8.09%
# of Condo Units; Went Under Agrmnt; Previous 12 mos.	Middlesex County	6,658	-----	-----	\$ 438,923	-----	-----
# of Condo Units; Went Under Agrmnt; Past Year	Massachusetts	22,849	Down	-1.01%	\$ 468,910	Up	7.35%
# of Condo Units; Went Under Agrmnt; Previous 12 mos.	Massachusetts	23,083	-----	-----	\$ 436,800	-----	-----
<u>CLOSED SALES-Condominium Units</u>							
Total Closed Sales of Condo Units; Past Year	Newton	364	Down	-1.62%	\$ 799,741	Up	11.60%
Total Closed Sales of Condo Units; Previous 12 mos.	Newton	370	-----	-----	\$ 716,616	-----	-----
Total Closed Sales of Condo Units; Past Year	Middlesex County	6,060	Down	-1.91%	\$ 471,810	Up	5.41%
Total Closed Sales of Condo Units; Previous 12 mos.	Middlesex	6,178	-----	-----	\$ 447,575	-----	-----
Total Closed Sales of Condo Units; Past Year	Massachusetts	21,028	Down	0.47%	\$ 468,898	Up	8.04%
Total Closed Sales of Condo Units; Previous 12 mos.	Massachusetts	20,929	-----	-----	\$ 433,986	-----	-----
SOURCE: MLS Statistics							

From a developers/seller's standpoint, the ideal results from these statistics would be: *decreasing* inventory, *increasing* sales activity, both pending and closed, and rising prices.

The statistics above suggest a healthy residential market overall. Declining sales volume is generally due to a lack of available properties for sale. In the 18 different segments listed above, prices have increased year over year in all of them. If prices and sales volume were dropping at the same time, this may be a sign of a market in decline and one for which demand is dropping. However, that is not the case here. The declines in pending and closed sales above is due to a lack of properties on the market for sale; a common complaint of brokers over the past several months. Notice the significant decreases in listing inventories for both single family homes and condominiums in the Newton, Middlesex County, and Massachusetts markets.

Commercial-Industrial R.E. Markets – From a price/value standpoint, the most recent *GreenStreet Advisors* Commercial Property Price Index data shows an increase of 0% over the past 12 months for all commercial property types. This is a national based index. Over the past 24 months, aggregate price increase was approximately +7%. The data from this index is below:

Commercial Property Price Index – August 4, 2017

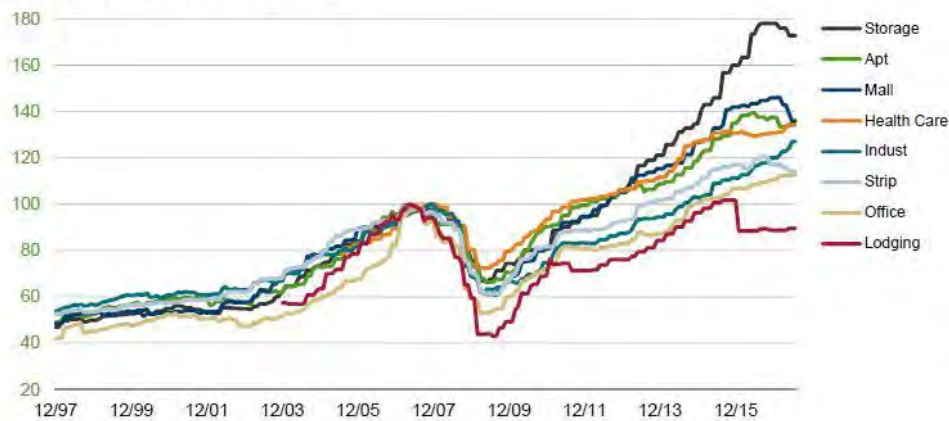
2

Green Street CPPI: Sector-Level Indices

	Index Value	Change in Commercial Property Values		
		Past Month	Past 3 Mos	Past 12 Mos
Aggregate CPPI	125.9	0%	0%	0%
Apartment	136.4	1%	2%	-1%
Industrial	127.1	0%	3%	9%
Mall	135.7	0%	-5%	-5%
Office	112.7	0%	0%	4%
Strip Retail	114.1	0%	-2%	-4%
Health Care	134.3	0%	1%	4%
Lodging	89.6	0%	1%	1%
Self Storage	172.9	0%	-2%	-2%

Aggregate CPPI is an average of the five major sectors; it does not include health care, lodging, or storage. Health Care is a blend of medical office, senior housing, skilled nursing, and life science.

Green Street Property Sector Indices



Property sector indices are indexed to 100 at their '07 peaks.

Virtually all sectors of the commercial markets in Greater Boston are doing well moving into the third quarter of 2017. Prices have been rising, rents are rising and there is positive absorption of space in all categories. Markets closer to Boston are doing better than those out in the Route 495 market, although recently the I-495 markets have been quite strong, particularly the warehouse sector.

In the valuation section that follows, based upon a review of all sources, we have used a +6% annualized adjustment applied to the comparable sales.

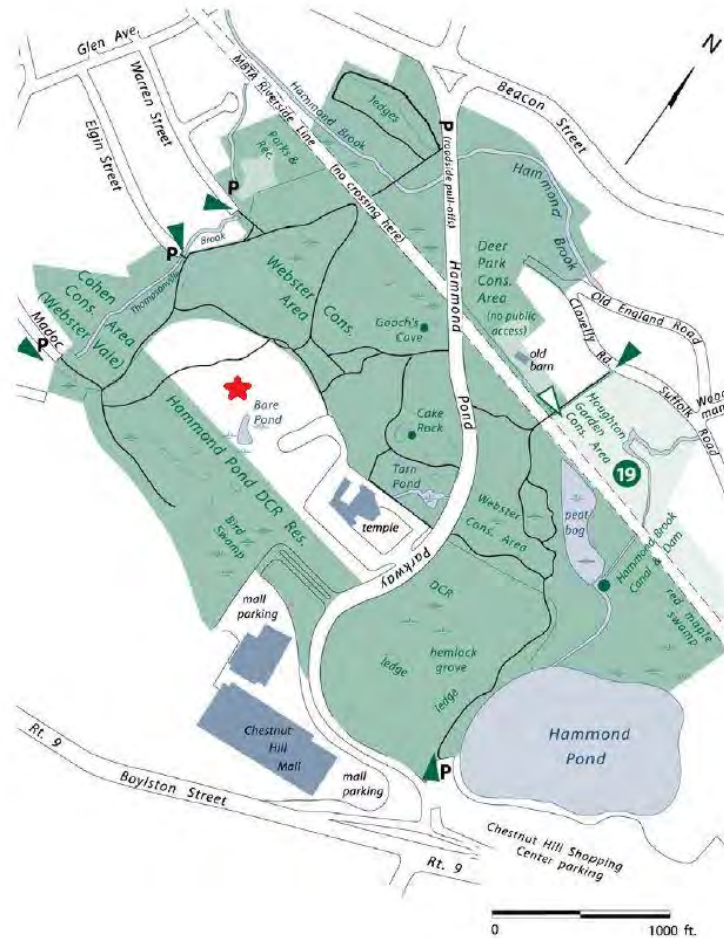
CONCLUSIONS: We draw the following conclusions from a review of the data presented above and a review of market activity:

- Today, the economy is in a state of recovery, but one that lacks strength. GDP growth has been positive, but lackluster. Job growth has been positive, but the growth that is occurring is not enough to produce a substantial boost to GDP. And many of the jobs being produced are part time or lower wage.
- Consumer confidence remains at a very high level. Consumers are still expressing a post-election surge in confidence and expect the new administration to be very pro-business.
- As of the writing of this report, the stock market is positive for 2017, up 10.59% in terms of the S&P 500 index.
- In terms of the local residential real estate market, the past 4+ years have been quite strong, characterized by rising prices and strong demand. A lack of inventory, combined with strong economic conditions makes the local real estate market a ‘seller’s market’ for now.
- Commercial property markets in Greater Boston have been positive as well since 2011, and are characterized by rising prices, increasing rents, and decreasing vacancy rates.
- Barring a major economic downturn, market conditions are expected to be strong through 2017 and 2018 in the subject market and Massachusetts.

Each of these factors has been taken into consideration with the valuation of the subject property.

Neighborhood Description

The subject property is located on the westerly side of Hammond Pond Parkway in an area where the Chestnut Hill and Newton Centre villages of the city meet. Route 9 is 0.4 miles to the south. The main campus of Boston College is 1.3 miles to the northeast. Beacon Street, a major east-west roadway through Newton is 0.6 miles to the north.



The subject is surrounded on all sides by conservation land, as shown above, in the form of the *Hammond Pond Reservation*; *Cohen Conservation Area*; and the *Webster Conservation Area*. Across the roadway from the subject is conservation land as well. In total, there is 152 acres of conservation land in this area owned by both the City of Newton and the Commonwealth of Massachusetts through its Department of Conservation and Recreation. This is the largest conservation area in Newton. The 152 acres contain brooks, ponds, including Hammond Pond, wetlands and large rock outcroppings of Roxbury Puddingstone; a bedrock formation unique to portions of the City of Boston and communities immediately to the south.

Just south, beyond the conservation land are the *Towers at Chestnut Hill*, a 423 unit luxury condominium complex built in the late 1970's, featuring twin, 16 story hi rise towers. Recent sale prices here have ranged from \$525,000 to \$845,000.

Also just south is the 500,000 sq ft *Chestnut Hill Mall*, now known as *The Shops at Chestnut Hill*. The mall was built in the mid 1970's and is anchored by a *Bloomingdales*. Other significant commercial properties in this retail cluster along Route 9 at the intersection of Hammond Pond Parkway include the 340,000 sq ft *Chestnut Hill Square*; a mixed use retail and office development anchored by a *Wegmans*, which opened in 2013; the former *Atrium Mall*, a 286,000 sq ft structure which was re-developed into medical office space within the past 2 years; and *The Street*, a 640,000 sq ft open air shopping center anchored by a *Star Market* and a *Showcase SuperLux* cinema.

Developers have been attracted to the immediate location because of the affluent demographics of the area, as detailed below:

2016	1 mile	3 miles	5 miles	7 miles	5 minutes	10 minutes	15 minutes
Population	12,506	178,951	633,002	1,211,496	132,109	824,075	1,502,756
Average Household Income	\$214,186	\$140,840	\$113,097	\$112,869	\$143,486	\$118,182	\$111,968
Daytime Population	11,784	139,157	545,775	1,327,513	105,978	1,064,676	1,564,802

Favorable & Unfavorable Factors/Conclusions: The subject property enjoys an excellent location, from a residential, commercial, institutional, or conservation standpoint. It enjoys convenience to major highways and shopping opportunities, an affluent surrounding populous, is surrounded by the largest conservation holdings in the City of Newton and is less than 1.5 miles from the campus of Boston College.

PROPERTY DESCRIPTION

The subject of this analysis is a 21.75 acre parcel of SR-1 zoned land, and portions thereof, located on the westerly side of Hammond Pond Parkway in Newton. The land is improved with a 64,736 sq ft masonry building formerly used as a Temple and School building. The building was constructed in the mid 1950's.

The building has been vacant for over 2 years. Prior to this the property was owned and utilized by Congregation Mishkan Tefila. In May of 2016 the entire 21.75 acre property with building was sold to Boston College.

The following are additional details for the property:

Site

Land Area	21.75 acres or 947,392 sq ft.
Frontage/Access	500' on Hammond Pond Parkway.
Shape	Irregular.
Topography	The site slopes up from east to west, or front to rear. Within the front 6.05 acre portion designated as Parcel A slopes are moderate with elevations ranging from 210' above sea level along the parkway frontage, to 220' just to the rear of the building on site. Within the Parcel B and C portions of the site, the topography features moderate to steep slopes with elevations ranging from 170' to 252'. A topography map of the site can be found below.
Flood Zone	The 21.75 acre site is not within a designated flood hazard zone per FEMA Panel #250 17C 558E dated June 4, 2010. A copy of this panel can be found in the Addenda to this report.
Wetlands	Wetlands exist on site in the form of a portion of Bare Pond; a vernal pool and bordering vegetative wetlands. The approximate area of wetlands on site is 0.8 acres per soils maps, and are shown on the Topo/Wetlands map below.
Utilities	Municipal water and sewer lines; natural gas, electricity, telephone, cable t.v., and all telecommunication lines are available on Hammond Pond Parkway. It should be noted that at present, the owner of the property, Boston College is repairing and replacing the existing sewer lines on site that call for 1,600' of new sewer line, and installation of a holding tank.
Soils	Per the maps of the USDA/NRCS, the primary soil types on site are "Urban Land" in the area of the front, developed portion of the site; "Hollis-Rock outcrop Charlton complex" with 0-15% slopes in the central portion of the site; "Narragansett-Hollis-Rock" with 3-25% slopes in the rear or westernmost portion of the site; and "Freetown Muck" in the wetlands portion of the land beneath Bare Pond and the vernal pool.
Zoning	Single Residence SR-1.
Parking	As part of this analysis, we have divided the site into 3 sections. Parcel A, which contains the building and main parking area, has 170 lined parking spaces. The central portion of the property, or Parcel B, has 143 lined parking spaces in an overflow parking area. Total parking on site is 313 lined spaces.
Easements/ Rights of Way	On the recorded plan of land, a copy of which can be found in the Addenda to this report, no improvements are allowed within a 20' setback from Hammond Pond Parkway. This is a moot point as zoning setback requirements exceed this restriction line.

Wetlands/Topography



(the 21.75 acres are outlined in yellow above)

Existing Building

The existing structure on site was developed as a temple and school building, completed in 1957 per municipal records. It contains 1 and 2 story sections and 64,736 sq ft of finished area. Below is a May 2017 aerial photo of the building that has been labeled with the uses per section:



The entry is on the southerly side of the building. To the right and straight ahead are a large function hall area and the main temple, worship area. The auditorium, worship area is significant in size and features sloped floor stadium seating and a stage area. There is an unfinished basement area beneath this section that houses some utilities and storage areas.

A kitchen/dining area is on the northern most side of the building.

To the left of the entry/atrium is a 12 classroom, two story school section. The western most section is an additional two story classroom section that is reported to have been built at a later date than the main structure. A single elevator serves the two story sections.

The two, 2-story sections also contain kitchenettes, office, and conference room space. The westernmost section was reportedly used as a daycare center. To the left of this section is a small, outdoor playground area.

The building is of masonry and steel frame construction. Exterior walls are primarily brick veneer, with smaller areas of painted wood trim, plate glass and decorative masonry block. The roof features predominately flat sections but also has gable and hip shaped sections. Roof cover is primarily rubber membrane, but there are tar and gravel sections as well.

Division of Parcel

The main purpose of this analysis is to estimate the values of the rear and central portions of the 21.75 acres as the City of Newton considers purchasing this land. For this analysis, the land is divided into Parcels A, B, and C as shown below:



Parcel A contains approximately 6.05 acres and the main building and parking area for the property.

Parcel B is approximately 3.3 acres in the central portion of the site. It contains large rock outcroppings and approximately 42,000 sq ft of asphalt pavement that is lined for 143 parking spaces.

Parcel C is approximately 12.4 acres of undeveloped woodlands. It contains moderate to steep slopes, large rock outcroppings, walking trails, a portion of Bare Pond and a vernal pool.

Comments/Conclusions: The 21.75 acre subject property consists of a large, mostly undeveloped site improved with a 65,000+/- sq ft temple/school building in the front 1/3 portion of the land.

The building is vacant, and has been for at least 2 years. The building appears structurally sound but is in need of extensive cosmetic updates repairs. One of these repairs is ongoing, and includes a new sewer line extension and holding tank installation. We were given verbal information only from BC representatives regarding this sewer project. Cost estimates referenced were as high as \$5 million.

There are 313 lined parking spaces on site. The majority are located in the front 1/3 of the site surrounding the temple building. Reportedly, 240 of the parking spaces on site are leased to MASCO (*Medical Academic and Scientific Community Organization*) through June 30, 2018 at a rate of \$230,400 per year net of real estate taxes.

Consideration of Hazardous Substances in the Appraisal Process

The subject site is listed by the Massachusetts Department of Environmental Protection as a location on which an oil spill occurred in February of 2013. The spill was the result of a leaking underground fuel storage tank. Reportedly 50 gallons of #2 fuel oil were leaked.

Per the DEP files, all contaminated soil and the leaking tank have been removed, and the site has achieved an RAO status in which “no significant risk” remains.

Site Information			
Site Number:	3-0031370	Category:	TWO HR.
Site Name:	CONGREGATION MISHKAN TEFILA	Release Type:	RAO
Address:	300 HAMMOND POND PARKWAY	Current date:	3/20/2013
Town:	NEWTON	Phase:	
Zipcode:	02467-0000	RAO Class:	A2
Official notification date:	2/8/2013	Locationtype:	PRIVPROP,SCHOOL,SYNAGOGUE
Initial status date:	2/8/2014	Source:	HOSE,TANKER,UST
Click Here for Supporting Documents			

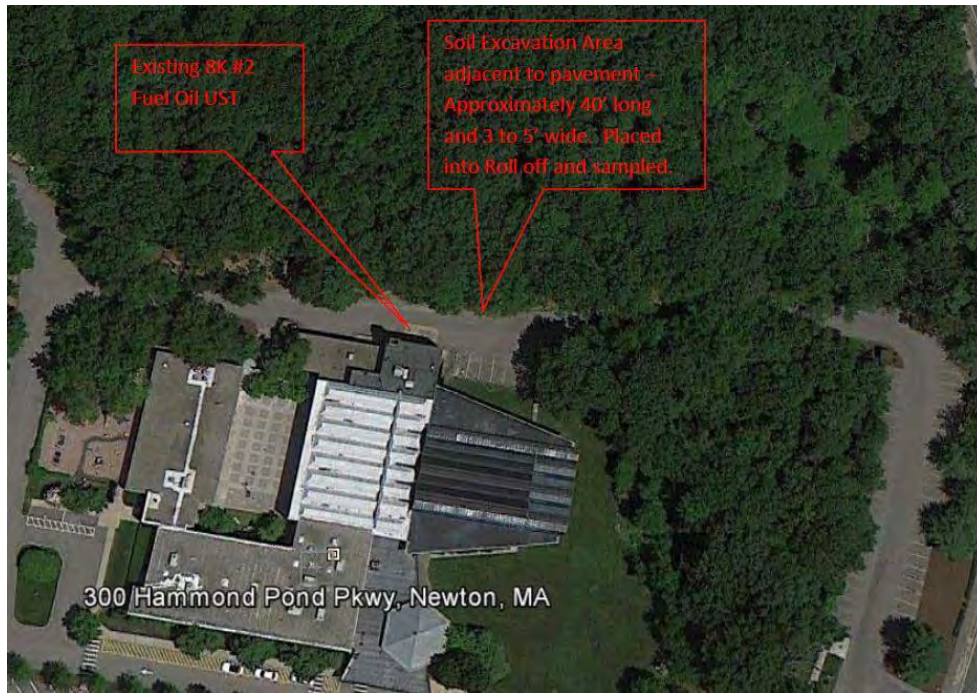
Response Action Information	
Response Action Type:	RAO Response Action Outcome - RAO
Status:	RAORCD RAO Statement Received
Submittal Date:	03/20/2013
RAO class:	A2
Activity & Use Limitation:	
Response Action Type:	RNF Release Notification Form Received
Status:	REPORT Reportable Release or Threat of Release
Submittal Date:	03/20/2013
RAO class:	
Activity & Use Limitation:	
Response Action Type:	REL Potential Release or Threat of Release
Status:	REPORT Reportable Release or Threat of Release
Submittal Date:	02/08/2013
RAO class:	
Activity & Use Limitation:	
Response Action Type:	IRA Immediate Response Action
Status:	APORAL Oral Approval of Plan or Action
Submittal Date:	02/08/2013
RAO class:	
Activity & Use Limitation:	

Chemicals		
Chemical	Amount	Units
#2 FUEL OIL	50	GAL
FUEL OIL	50	GAL

LSPs	
LSP#	Name
5222	GALLINARO, COSMO D

RAO Detail			
Class	Method	GW Category	Soil Category
A2	1	N	1





It is our assumption in this report, therefore, that the subject site is not a contaminated site. However, if the subject site is found to be contaminated, the value estimate contained herein will change.

Zoning

The subject is located in the Single Residence 1 (SR1) zoning district.

Uses permitted by right in the SR1 zone include: Municipal, educational, religious uses; daycare; dormitory (20+ person), single family, and agriculture.

Uses permitted with a special permit from the City Council include: Attached single family dwellings, congregate living facilities, cemetery, private club, library, museum, scientific research facilities, resource extraction, and riding schools.

Dimensional requirements include:

Minimum Lot Size:	25,000 sq ft
Minimum Lot Size Per Unit:	25,000 sq ft
Minimum St. Frontage:	140 feet
Maximum Lot Coverage:	15%
Maximum # of Stories:	2.5 stories or 3 with special permit
Maximum Height:	36'
Front, Side, Rear Setbacks:	40, 20, 25 feet
Maximum Floor Area Ratio (F.A.R)	0.2 for institutional use*

*(can be increase by 0.1 for each additional 10% of the lot area that is devoted to usable open space up to a maximum floor area ratio of 1.0)

Maximum Floor Area Ratio (F.A.R)	0.26 for single and two family use.
----------------------------------	-------------------------------------

In terms of parking requirements; for residential use, 2 spaces per dwelling unit are required. For religious use, 1 space for every 3 seats is required.

HIGHEST AND BEST USE

The Dictionary of Real Estate Appraisal, Sixth Edition, defines highest and best use as "the reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible and results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility and maximum profitability."

To re-iterate what was stated in the "Summary of the Appraisal Problem" section of this report, we will not assume any zoning changes, variances, or potential uses of the property under M.G.L. Chapter 40B.

Given legally permissible and physically possible uses of the 21.75 acres, it is our opinion that the highest and best use possibilities for the subject include the following:

- Continued institutional religious, school use using the existing improvements on site.
- Continued institutional religious, school use involving a redevelopment of the land by razing existing structures and constructing new buildings for educational or religious use, that can total up to 190,000 sq ft given the floor area ratio allowed for institutional use in the SR1 zone of 0.20.
- Residential development assuming the 1954 deed restriction is not valid.

After an inspection of the existing improvements and a sales comparison analysis involving similar properties, it was our conclusion that the existing improvements, although vacant and in need of repair, do contribute to value and would not be razed with a purchase of the site by another institutional buyer. Therefore, the highest and best use comes down to the existing use, "as is" or a residential redevelopment (*assuming the 1954 deed restriction is not valid*).

At the onset of this analysis, we assumed that the highest and best use of the land with no restriction would be for residential development given the prices being paid for Newton real estate, conditions in the local residential housing market, and the sheer size of the subject property at 21.75 acres, which is quite large by Newton standards. With that in mind we attempted to determine the development potential of the property in the SR1 zoning district with no deed restriction in place. With feedback from the planning department, we assumed the following maximum development potential:

- 28 building lots; 25,000 sq ft minimum.
- 3,000 linear feet of roadway required to serve these lots.
- Roadway costs of \$1,500 per linear foot (*see roadway cost comparables in the Addenda to this report*).
- Two year approval/entitlement process.
- Estimated retail value of each lot at \$1,900,000 (*see Newton Building Lot Sales Summary in Addenda to this report*).

Using these inputs and the valuation model presented in the Addenda to this report, we estimated the value of the property assuming the 1954 deed restriction was not valid, at \$14,500,000.

Using 7 sales of institutional, school, church type properties, we estimated the value of the property “as is”, assuming the existing deed restriction is valid, at \$21,400,000. We found the depth of data supporting this value to be significant. Feedback from brokers involved in these transactions indicated that the pool of potential buyers for these institutional campus type properties was fairly significant as well.

Based upon this analysis, it is our conclusion that the highest and best use of the 21.75 acre property is for continued institutional use, whether or not the 1954 deed restriction is in effect.

The impact of this conclusion for this analysis is significant. This means that the value estimates for Parcel C will be the same, whether or not the 1954 deed restriction is deemed invalid or not, because even if it were deemed invalid, the highest and best use would be for continued institutional use. The same is true for Parcel B valuation scenarios.

EXPOSURE TIME

The Dictionary of Real Estate, 6th Edition, defines *Exposure Time* as:

“The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of appraisal. Exposure time is always presumed to occur prior to the effective date of appraisal” (p 105)

In other words, how long do we estimate it would have taken to sell the subject property at the estimated “as is” value of \$21,400,000? Based upon a review of the periods it took to sell the comparable sales presented later in this report, it is our opinion that a reasonable exposure time is 12 months.

ANALYSIS AND VALUATION

This analysis actually involves 8 different valuation scenarios as detailed below:

1. The value of the 12.4 acre Parcel C, “as is”, subject to the existing 1954 deed restriction.
2. The value of the 12.4 acre Parcel C, subject to the hypothetical condition that the 1954 deed restriction is not enforceable or in-valid.
3. The diminution in value to the 12.4 acre Parcel C, subject to the hypothetical condition that the land is affected by a perpetual conservation restriction with public access provisions. This figure is the difference between the value “before”, unrestricted, and the value “after” with a conservation restriction in place. It represents the cost of purchasing the development rights to the land, and leaving current ownership with a parcel of land with no development potential of any kind.
4. The value of the 12.4 acre Parcel C, subject to the extraordinary assumption that a claim of “easement by prescription” is accepted, as described herein.
5. The value of the 3.3 acre Parcel B, “as is”, subject to the existing 1954 deed restriction.
6. The value of the 3.3 acre Parcel B, subject to the hypothetical condition that the 1954 deed restriction is not enforceable or in-valid.
7. The diminution in value to the 3.3 acre Parcel B, subject to the hypothetical condition that the land is affected by a perpetual conservation restriction with public access provisions. This figure is the difference between the value “before”, unrestricted, and the value “after” with a conservation restriction in place. It represents the cost of purchasing the development rights to the land, and leaving current ownership with a parcel of land with no development potential of any kind.
8. The value of the 3.3 acre Parcel B, subject to the extraordinary assumption that a claim of “easement by prescription” is accepted, as described herein.

The underlying valuation methodology for each scenario is the Sales Comparison Approach. A brief description of this approach is as follows:

Sales Comparison Approach– The Sales Comparison Approach is a comparative analysis between the subject property and recently sold similar properties. In analyzing this, sales data consisting of arms-length transactions between willing and knowledgeable buyers and sellers, we have identified price trends from which value parameters may be developed. Comparability with respect to physical, location and economic characteristics is an important criterion in evaluating the sales.

This approach starts with research pertaining to relevant property sales and current offerings throughout the competitive area. The data collected has been analyzed to select those properties considered most similar to the subject property. In most cases, the comparison is accomplished by use of a unit of comparison (common denominator). Adjustments are made to the comparable properties to account for differences between them and the subject.

As a result of this selection and adjustment process, a range of indicated values of the subject property has been developed from the comparable data. This range of values is considered to set the parameters of value for the subject property.

Presentation of Data Used for this Analysis– The following three tables of sales data were used for this analysis:

EXHIBIT A: Institutional Sales Summary

Date of Valuation: 3-Aug-17
 Time Adjustment: 6.00% annually

Address	Sale Date	Sale Price	Site Size AC/SE	Time Adjusted Price	Gross Building Area (sf)	Year Built	Per Sq Ft of Building Area	Adjusted Price	Grantor/Grantee	Use	Legal Ref(Bk/Pg)	Zoning
1. 300 Hammond Pond Pkwy Newton	31-May-16	\$20,000,000	21.75	\$984,401	64,736	1957	\$330.74		Congregation Mishkan Tefila Trustees of Boston College	Temple, school to parking, offices, for educational user.	67338/386	SR1 Residential
Comment: Sale of a former temple-school property in the Chestnut Hill-Newton Centre area of the city. Parcel is surrounded by conservation land. Sold with deed restriction preventing any use besides educational, religious or recreational until 2053. Building in fair to average condition at sale. Building and most parking on front 6+ acres of site. Remainder is largely undeveloped.												
2. 101-239 Herrick Road Newton	30-Jun-17	\$31,950,000	22.20	\$1,447,235	237,873	1925	\$135.07		Andover Newton Theological Eversail LLC	School, housing, dorms to remain for foundation, educational user.	69543/512	SR1 Residential
Comment: Sale of the campus of Andover Newton Theological School in Newton Centre. Buildings included classrooms, dormitories, library, and attached condominium units. Purchased by a local billionaire who plans to continue an educational foundation use on site, and may consider using a portion of the site for an assisted living development.												
3. 15 Walnut Park Newton	02-Sep-15	\$15,350,000	5.71	\$2,998,111	95,163	1965	\$179.89		Congregation of Sisters of Joseph City of Newton	School use to municipal use	66023/272	Public
Comment: Sale of the Newton campus of Aquinas College. Property was on market for several years at \$18,600,000. Sellers had put a restriction that improvements on site could not be razed and re-developed. Looking for an educational user. City of Newton bought it at												
4. 1900 Commonwealth Ave Newton	15-Nov-16	\$3,600,000	1.08	\$3,476,378	17,450	1925	\$215.16		Trinity Parish of Newton James F. Farr Academy, Inc.	Church, school to educational use.	68409/133	MR1 Residential
Comment: Former church and school property at corner of Auburn and Comm Ave. Offered as either continued institutional/church use or for re-development at \$4million by listing broker Christopher Sower of Colliers. A Cambridge based special needs school-academy bought the property after 158 days on the market. Will continue school/institutional use.												
5. 265 Lowell Street Lexington	05-May-17	\$11,700,000	6.06	\$1,959,263	41,991	1900/2007	\$282.75		Sunnyview Education LLC Lexington Christian Academy	Dorm, school use to remain the same	69243/36	RO Residential
Comment: This is a 3.5 story, victorian style building on 6+ hillside acres in Lexington. Originally a nursing home. It was converted to educational/classroom and dorm space in past 20 years. Seller purchased for \$5 million in 2007 and completed renovations allowing it for use as boarding schools. Purchased by Lexington Christian Academy who is 1/4 mile away and had been renting classrooms here.												
6. 20 Pelham Road Lexington	19-Apr-17	\$7,950,000	8.41	\$961,778	45,650	1961	\$177.19		Congregation of Armenian Sisters Town of Lexington	School use to municipal use; offices or classrooms	69160/246	RS Residential
Comment: Sale of a single story, 1960's school building in the Munroe Hill neighborhood of Lexington. From 1983 through 2013 it was used as a private, catholic elementary school. Declining enrollment led to closure. Offered to area developers and town. Re-development potential was questionable due to dead end length controversy. Town considering using it for offices and classroom space.												
7. 33 Marrett Road Lexington	05-Dec-13	\$10,950,000	10.30	\$1,296,809	23,100	1901/2003	\$578.23		Scottish Rite of Freemasonry Town of Lexington	Museum; non profit office use to municipal use.	63021/356	RS Residential
Comment: Sale of a portion of the freemasons headquarters on Route 2A in Lexington. Two buildings on site at time of sale. Land may have had re-development potential for 12+ lots. However, the building on site, which was used for office and museum use had been rebuilt in 2003 and was in good condition at sale.												

EXHIBIT B: Institutional Land Sales Summary

Date of Valuation: 3-Aug-17

Time Adjustment: 6.00% annually

VACANT LAND SALES

Address	Sale Date	Sale Price	Time Adjusted Price	Site Size AC/SF	Adjusted Price Per AC of Land SF of Land	Grantor/Grantee	Legal Ref(Bk/Pg)	Zoning
1. Carlson Ave, Dedham St Newton	09-May-17	\$7,000,000	\$7,098,981	5.58 243,065	\$1,272,219 \$ 29.21	Mount Ida College Church of Jesus Christ of Latter Day Saints	69252/256	SR1 Residential
2. 900 Worcester Street Wellesley	24-Nov-14	\$3,800,000	\$4,414,173	8.00 348,480	\$ 551,772 \$ 12.67	Roman Catholic Archbishop Town of Wellesley	32719/343	S10 Residential
3. Lot B-1 Concord Ave Lexington	01-Sep-16	\$1,800,000	\$1,899,441	18.98 826,769	\$ 100,076 \$ 2.30	Belmont Country Club Lexington Montessori School	67946/263	RO Residential

MARKET EXTRACTION LAND SALES

Address	Sale Date	Sale Price	Time Adjusted Price	Contributory Value of Existing Improvements	Extracted Price Paid for Land Only	Site Size AC/SF	Adjusted Price Per AC of Land SF of Land	Zoning	Time	
									Adjusted Price Per AC of Land SF of Land	Adjusted Price Per AC of Land SF of Land
4. 300 Hammond Pond Pkw Newton	31-May-16	\$20,000,000	\$21,410,720	\$6,797,280	\$14,613,440	21.75 947,392	\$ 671,882 \$ 15.42	SR1 Residential	Congregation Mishkan Tefila Trustees of Boston College	67338/386
5. 101-239 Herrick Road Newton	30-Jun-17	\$31,950,000	\$32,128,609	\$17,840,475	\$14,288,134	22.20 967,032	\$ 643,610 \$ 14.78	SR1 Residential	Andover Newton Theological Eversail LLC	69543/512
6. 15 Walnut Park Newton	02-Sep-15	\$15,350,000	\$17,119,212	\$11,895,375	\$5,223,837	5.71 248,728	\$ 914,858 \$ 21.00	Public	Congregation of Sisters of Joseph City of Newton	66023/272
7. 1900 Commonwealth Ave Newton	15-Nov-16	\$3,600,000	\$3,754,489	\$1,745,000	\$2,009,489	1.08 47,045	\$1,860,638 \$ 42.71	MR1 Residential	Trinity Parish of Newton James F. Farr Academy, Inc.	68409/133
8. 265 Lowell Street Lexington	05-May-17	\$11,700,000	\$11,873,134	\$5,248,875	\$6,624,259	6.06 263,974	\$1,093,112 \$ 25.09	RO Residential	Sunnyview Education LLC Lexington Christian Academy	69243/36
9. 20 Pelham Road Lexington	19-Apr-17	\$7,950,000	\$8,088,556	\$3,423,750	\$4,664,806	8.41 366,340	\$ 554,674 \$ 12.73	RS Residential	Congregation of Armenian Sisters Town of Lexington	69160/246
10. 33 Marrett Road Lexington	05-Dec-13	\$10,950,000	\$13,357,128	\$4,158,000	\$9,199,128	10.30 448,668	\$ 893,119 \$ 20.50	RS Residential	Scottish Rite of Freemasonry Town of Lexington	63021/356

EXHIBIT C : Restricted/Non Buildable Land Sales Summary

Date of Valuation 3-Aug-17
Annual Time Adjustment 6.00%

Annual Time Adjustment

TIME ADJUSTED \$ PER ACRE/ SO.FT

#	ADDRESS/ TOWN	GRANTOR/ GRANTEE	SALE PRICE/ DATE \$ per AC	LAND AREA(ac)	LEGAL REF. BOOK/PAGE	TIME ADJUSTED \$ PER ACRE/ SO.FT	COMMENTS - REASONS(S) FOR NON-BUILDABLE STATUS
1	Lot B, 15-R Pembroke Rd Wellesley	Anthony J. Preveit/ Robert Pereira	\$235,000 22-Dec-15 \$85,299	2.76	337/38/92	\$93,574 \$2.15	This is a rear lot with no street frontage, but a 45' wide right of way to Grove Street. Land cannot be developed due to lack of frontage and a deed restriction. It is treed uplands and was purchased by the owner of 19 Pembroke Street to enhance the size of an abutting property that was developed with a 10,000 sf mansion in 2012. The seller in this transaction had purchased the parcel on 2-15-12 for \$210,000. Increase in price represents a 5.7% annualized appreciation.
2	444 Glen Rd, Lot 1 Weston	Cynthia K. Curme/ Darcey F. Bartel	\$400,000 13-Sep-13 \$60,606	6.60	62626/140	\$74,756 \$1.72	Sale of a 6.6 acre parcel of land off of Glen Road in Weston subject to a permanent conservation restriction. This parcel is encumbered with an 8' wide trail easement that begins at Glen Road and extends into conservation land to the south. Wooded parcel with no frontage. It is located between several estate homes and was purchased by an abutter who owns 455 Glen Road.
3	Lot 5 Haynes Road Sudbury	Rocklage/ Siena Farms LLC	\$1,000,000 18-Jul-13 \$38,212	26.17	62267/528	\$47,491 \$1.09	Land sold subject to an agricultural preservation restriction (APR). It cannot be developed and has been used in the past both for cropland and pasture for horses and sheep. Purchased by neighbors who own a single family home 1/4 mile north and who plan to continue farming the land. Grantor in this transaction purchased the land in April 2006 for \$495,000.
4	Lot 3, 15 Miller Hill Rd Dover	Joan M. Mullyally/ Paula C. Page	\$250,000 29-May-12 \$125,000	2.00	30012/65	\$163,885 \$3.76	This is the sale of a heavily treed, rectangular, 2 acre parcel with 265' of frontage on Miller Hill Road. Purchased by abutter who built a 9,000 sq ft home in 2007 on a 4.25 acre site at 19 Miller Hill. These 2.0 acres cannot be built upon because of poor soil conditions. Previous owners could never perc. Lot slopes down as well. Purchased to increase yard and maintain privacy buffer.
5	Parcel A Silver Hill Road Lincoln	Rural Land Foundation/ Eric Zimmerman	\$100,000 31-Aug-15 \$69,300	1.44	66001/474	\$77,310 \$1.77	This is land formerly part of a larger purchase by a local conservation group. The Rural Land Foundation acquired an 8+ acres site and kept a rear 6+ acre portion that was environmentally sensitive. They then sold Parcel A to an abutter for use as a grazing field. At just 120' wide, it is too narrow to be an independent building lot. However, if combined with abutters property that may be able to yield a building lot. The new buyer has no plans to develop and may consider a CR on his entire holdings, which involve Parcel A. Some wetlands on Parcel A but mostly an open field.
6	Lot G Adams Lane Dover	Stephen Fogg/ Stephen Karlson	\$660,800 6-Mar-14 \$24,657	26.80	32106/23	\$29,708 \$0.68	Land is non buildable due to lack of road frontage. Abuts Hale Reservation. Very rocky/land, with steep slopes. Land may be developable with acquisition of a couple abutting parcels but highly unlikely. Purchased by an abutter to enhance his home at 7 Adams Lane. Was on market through MLS at \$1 million for 1 week before P&S signed at a price that is the same as the assessment of the land by the town. Grantor, Stephen Fogg had bought the parcel for \$325,000 in September of 2008.
7	Parcel 126-5 Old Bedford Lincoln	Nancy Fogg/ Town of Lincoln CC	\$146,400 18-Jun-14 \$28,154	5.20	63774/41	\$33,440 \$0.77	Parcel of land with no legal road frontage, but does have rights of way via an old cart path off of Old Bedford Rd. Attempts to use this as legal frontage failed, and owners then negotiated a sale of this non buildable parcel to the town based upon its assessment.
8	36-A Baker Ave Concord	Lawrence Smith/ J. Tomaino	\$48,500 7-Jun-13 \$25,000	1.94	LC1458/96	\$31,240 \$0.72	Industrial Park zoned parcel of land, with 134 feet of frontage on Baker Ave and approximately 150' of frontage on the As-sabet River to the rear. Parcel is predominantly wetlands and floodplain preventing development. Small sliver of upland at street frontage is not enough to develop. Buyer bought, thinking potential assemblage in future, but has since donated to town as buyer realized land has no potential.
9	Lot 8 Hillside Street Milton	Henny A. Thomas/ Christopher Vanriet	\$12,000 29-Sep-15 \$55,643	0.22	33518/475	\$61,809 \$1.42	Small, rectangular parcel of land purchased by an abutter to enhance the size of an abutting single family home at 106 Hillside Street. Land is 100% upland. Sold with the agreement that it not be used for development, now or in future.

Discussion of the Data Used for this Analysis– Exhibit A is a presentation of 7 sales of institutional properties; schools, churches, museums. These 7 sales were the ones most similar to the subject of the 9-10 initially researched. Note that an important criteria for use of these sales is that they had to have had a similar highest and best use at the time of their sale as the subject. And that is/was, for continued institutional use. No sales were presented in Exhibit A that involved re-development of the property to single or multi-family residential use.

Note that Sale #1 in Exhibit A is the subject property itself. It is a recent, arms length transaction between a willing buyer and willing seller.

Sale #2 is a recent sale of the Andover Theological School campus in Newton Center. This property is less than 1 mile from the subject and is on the other side of conservation land that abuts the subject to the west. The property included 22+ acres of land along with classroom space, dormitories, a library, and residential dwellings. It was purchased by a foundation who plans to continue an institutional use on site. A portion is being considered for assisted living development, but the primary motivation for purchase was to continue an institutional use on site.

Sale #3 is a less recent sale of the Newton, Aquinas College campus. It was purchased by the City of Newton after being on the market for over a year with a Boston based brokerage firm.

Sale #4 is the sale of a school/church property in the Auburndale section of Newton. It is much smaller than the subject in terms of both building and site area. But as referenced earlier, the uniqueness of the subject property forced the use of data that offered reasonable similarity to the subject.

Sales #5, #6 and #7 are located in nearby Lexington.

The prices were analyzed on both a price per sq ft of building area and price per acre of land basis.

Exhibit B are Institutional ‘Land’ Sales. 10 sales are presented. The first three are sales of vacant land purchased for institutional use. Sale #1 is a recent purchase of SR1 zoned land in Newton by an entity related to the Mormon Church, who will develop the land with a church and educational facility.

Sale #2 is a purchase of a former Catholic parish property on Route 9 in Wellesley by the Town of Wellesley, who razed all improvements on the site and will redevelop it with a skating rink, and sports field complex.

Sale #3 is the purchase of 18.98 acres of residential land that will be used by the Montessori school buyer for expansion of their abutting property. What is significantly different about this sale from #1 and #2 is that the 18.98 acres were not independently developable at the time of their sale, but rather required assemblage with the Montessori school property for development. This is due to the fact that a significant swath of wetlands block the road frontage of the 18.98 acre parcel. Subject parcels C and B are somewhat similar to this parcel in that they are not readily, independently developable, but are developable in conjunction with an abutting parcel (A).

Sales #4 through #10 are 'extraction' land sales in which we deducted the estimated contributory value of the improvements from the sales in Exhibit A, to estimate what was paid for the land-only portion of these institutional sales. This method of estimating land value is inherently less reliable than using sales of vacant sites. But as touched upon in the "Summary of the Appraisal Problem", we are dealing with a unique property type in which there is not a significant amount of sales data available.

Sale #4 from this list is the re-constructed sale of the subject property, estimating that adjusted for time/market conditions, approximately \$14,600,000 was paid for the land in the May 2016 purchase of the subject property and approximately \$6,000,000 was paid for the improvements.

Exhibit C presents sales of land for which no development was possible, at the time of their sale, restricted either by deed or physical limitations. These sales are needed for valuation Scenarios #3, #4, #7 and #8 listed above.

The motivations of buyers of non-buildable or restricted land are wide-ranging and vastly different from motivations involving the purchase of "usable" properties. Some of the more common motivations or reasons for purchase include:

Agricultural use or timber rights.

An abutter, who simply wants to increase the size of one's yard, create a larger buffer between a neighbor, or have extra room to walk their dog or for their children to play.

In the case of non-restricted land, that is non-buildable due to lack of access, a 'gambler' type developer who thinks that, through assemblage of other land, that access to the non-buildable parcel could be obtained, making it 'buildable'.

The local municipality may want to purchase the property for conservation, or perhaps prevent a higher authority such as the State or U.S. Government from acquiring the tract for other uses.

Nature conservancy. If a site was a natural nesting ground for a specific species, many government agencies, including the U.S. Fish & Wildlife Agency, would be interested in acquiring the parcel.

Recreational use.

The typical buyer of this type of property has been conservation groups acting for municipalities. These groups fear that even if a property is presently non-buildable due to physical or legal constraints, something may change years down the road that would allow for development. Better to buy now at a low price than risk development later is the logic used.

Sales of this type of land are far less frequent than sales of building lots and 'buildable' acreage. Therefore, the search area and search period for comparable sales was extended beyond typical guidelines.

Valuation Scenario #1

1. *The value of the 12.4 acre Parcel C, “as is”, subject to the existing 1954 deed restriction.*

The context of this valuation is that Parcel C is part of the total 21.75 acre property. We are not estimating its value as if it is a stand-alone backland parcel of land. Rather, we are estimating the contributory value of the 12.4 acres to the larger property.

We first estimate the value of the 21.75 acre property “as is”. We will then estimate the value of the remainder property after the 12.4 acres are removed from ownership, leaving the existing buildings on a 9.35 acre site. The difference between the two value estimates is the contributory value of Parcel C. (*Value of 21.75 acre property, less the value of the 9.35 acre property = the contributory value of Parcel C*).

The sales data used for this scenario include the 7 sales from Exhibit A presented above. These sales were adjusted for time/market conditions at the 6% annualized adjustment discussed earlier.

The only other quantitative adjustment made for this analysis was for the excess land that the subject has in comparison to all but two of the 7 comparable sales. To quantify this adjustment, we used the data from Exhibit B. It is our opinion that the adjustment for the excess land represented by Parcel C must be higher than the \$100,000 per acre price paid for Sale #3 from Exhibit B, but less than the \$551,000 per acre paid for Sale #2 from Exhibit B. The latter has significant frontage on Route 9 and is independently developable. The former is inferior to the subject in terms of location and site utility. It has a higher percentage of wetlands. Based upon a review of this data, we used \$250,000 per acre in this analysis to adjust for the excess land of Parcel C.

The adjustments for both the “before” and “after” removal of Parcel C can be seen on the two adjustment grids that follow. Note that in the first grid the subject property contains the full 21.75 acres of land. In the second grid, the subject property has only 9.35 acres, to account for the ‘loss’ of Parcel C.

On the first grid, adjusted for market conditions, the sales range in price from \$135 to \$702 per square foot of gross building area. This is an all inclusive indicator that takes into consideration the location of the property, the size, quality, and condition of the improvements on site. Based upon a review of these sales, but with most emphasis given to the indicator from Sale #1, and slightly less to Sales #3, #5, and #6 which were mostly similar to the subject overall, after #1 in terms of location and size, it is our opinion that an appropriate indicator is \$331 per sq ft of gross building area.

One 2nd grid, the sales range in price from \$122-\$568 per sq ft of gross building. Again, giving most consideration to #1, and slightly less to #'s 3, #5, and #6 it is our opinion that an appropriate indicator is \$283 per sq ft of gross building area.

Based upon this analysis, we estimate a “before” value of \$331 per sq ft of gross building area, or \$21,400,000 overall, and an “after” value of \$283 per sq ft of gross building area or \$18,300,000 overall. The difference of **\$3,100,000** is the contributory value of Parcel C to the larger property.

SALES COMPARISON GRID - Value of the Entire 21.75 Acre Property As-Is

Annual Time Adjustment 6.00%
 Monthly Time Adjustment 0.50%
 Date of Valuation 3-Aug-17

SALE NO.	<u>SUBJECT</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>
Address	300 Hammond Pond Parkway Newton	300 HPP Newton	101-239 Herrick Newton	15 Walnut Pk Newton	1900 Comm Ave Newton	265 Lowell St Lexington	20 Pelham Rd Lexington	33 Marrett Rd Lexington
SALE DATA								
Sale Price	-----	\$20,000,000	\$31,950,000	\$15,350,000	\$3,600,000	\$11,700,000	\$7,950,000	\$10,950,000
Sale Date	-----	31-May-16	30-Jun-17	2-Sep-15	15-Nov-16	5-May-17	19-Apr-17	5-Dec-13
Time Adjusted Sale Price		\$21,410,256	\$32,128,550	\$17,118,631	\$3,754,438	\$11,873,077	\$8,088,511	\$13,356,336
Gross Building Area (sq ft)	64,736	64,736	237,873	95,163	17,450	41,991	45,650	23,100
Conditions of Sale	Arms Length	Arms Length	Arms Length	Arms Length	Arms Length	Arms Length	Arms Length	Arms Length
Property Rights Conveyed	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Adjustment	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Financing Terms	Conventional	Conventional	Conventional	Conventional	Conventional	Conventional	Conventional	Conventional
Land Area (ac)	21.75	22.2	5.71	1.08	6.06	8.41	10.3	
Adjustment	\$0	-\$112,500	\$4,010,000	\$5,167,500	\$3,922,500	\$3,335,000	\$2,862,500	
Adjusted Sale Price	\$21,410,256	\$32,016,050	\$21,128,631	\$8,921,938	\$15,795,577	\$11,423,511	\$16,218,836	
Price Per Square Foot	\$331	\$135	\$222	\$511	\$376	\$250	\$702	
NON PHYSICAL FEATURES								
Location	Excellent	Similar	Similar	Inferior	Slightly Inferior	Slightly Inferior	Slightly Inferior	Slightly Inferior
PHYSICAL FEATURES								
Condition of Building & Site Improv.	Average	Slightly Superior	Slightly Superior	Slightly Superior	Superior	Superior	Similar	Superior
Quality of Building	Average	Slightly Superior	Similar	Similar	Similar	Similar	Similar	Superior
Site Utility	Good	Similar	Similar	Similar	Similar	Similar	Inferior	Superior
Size of Building on Property	Medium	Large, Inferior	Large, Inferior	Large, Inferior	Small, Superior	Small, Superior	Similar	Small, Superior
Overall Comparison to the Subject		Similar	Inferior	Inferior	Superior	Slightly Superior	Slightly Inferior	Superior

Selected Per Sq Ft of Building Area Value Indicator:

\$ 331

This is the value of the ENTIRE 21.75 acre property, on a per sq ft of building area basis.

Building Area 64,736

Indication of Value \$ 21,427,616

ROUNDED 21,400,000

This is the result of multiplying the Gross Building Area by the selected price per sq ft of building area.

NOTES: Excess Land Adjusted at :

\$ 250,000 per acre

SALES COMPARISON GRID - Value of the REMAINDER Property of 9.35 Acres After Removing the 12.4 Acre Parcel C

Annual Time Adjustment 6.00%
 Monthly Time Adjustment 0.50%
 Date of Valuation 3-Aug-17

SALE NO.	SUBJECT	1	2	3	4	5	6	7
Address	300 Hammond Pond Parkway Newton	101-239 Herrick Newton	15 Walnut Pk Newton	1900 Comm Ave Newton	265 Lowell St Lexington	20 Pelham Rd Lexington	33 Marrett Rd Lexington	
SALE DATA								
Sale Price	----- \$20,000,000	\$31,950,000	\$15,350,000	\$3,600,000	\$11,700,000	\$7,950,000	\$10,950,000	
Sale Date	----- 31-May-16	30-Jun-17	2-Sep-15	15-Nov-16	5-May-17	19-Apr-17	5-Dec-13	
Time Adjusted Sale Price	\$21,410,256	\$32,128,550	\$17,118,631	\$3,754,438	\$11,873,077	\$8,088,511	\$13,356,336	
Gross Building Area (sq ft)	64,736	237,873	95,163	17,450	41,991	45,650	23,100	
Conditions of Sale	Arms Length	Arms Length	Arms Length	Arms Length	Arms Length	Arms Length	Arms Length	
Property Rights Conveyed	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	
Adjustment	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
Financing Terms	Conventional	Conventional	Conventional	Conventional	Conventional	Conventional	Conventional	
Land Area (ac)	9.35	22.2	5.71	1.08	6.06	8.41	10.3	
Adjustment		-\$3,212,500	\$910,000	\$2,067,500	\$822,500	\$235,000	-\$237,500	
Adjusted Sale Price	\$18,310,256	\$28,916,050	\$18,028,631	\$5,821,938	\$12,695,577	\$8,323,511	\$13,118,836	
Price Per Square Foot	\$283	\$122	\$189	\$334	\$302	\$182	\$568	
NON PHYSICAL FEATURES								
Location	Excellent	Similar	Inferior	Slightly Inferior	Slightly Inferior	Slightly Inferior	Slightly Inferior	
PHYSICAL FEATURES								
Condition of Building & Site Improv.	Average	Slightly Superior	Slightly Superior	Superior	Superior	Similar	Superior	
Quality of Building	Average	Slightly Superior	Similar	Similar	Similar	Inferior	Superior	
Site Utility	Good	Similar	Similar	Similar	Similar	Similar	Superior	
Size of Building on Property	Medium	Large, Inferior	Large, Inferior	Small, Superior	Small, Superior	Similar	Small, Superior	
Overall Comparison to the Subject	Similar	Inferior	Inferior	Superior	Slightly Superior	Slightly Inferior	Superior	

Selected Per Sq Ft of Building Area Value Indicator:

\$ 283 This is the value of the REMAINDER 9.35 acre property, on a per sq ft of building area basis, AFTER Removing Parcel C from the property.
 Building Area 64,736

Indication of Value \$ 18,320,288 This is the result of multiplying the Gross Building Area by the selected price per sq ft of building area.
 ROUNDED 18,300,000

NOTES: Excess Land Adjusted at :
 \$ 250,000 per acre

Valuation Scenario #2

2. *The value of the 12.4 acre Parcel C, subject to the hypothetical condition that the 1954 deed restriction is not enforceable or in-valid.*

Because the highest and best use of the property, whether or not the 1954 deed restriction is in effect, is for continued institutional use, the value under this scenario is the same as under Valuation Scenario #1, **\$3,100,000**. Why? Because even if all uses allowed under SR1 zoning were possible for the subject site, including residential development, our highest and best use conclusion indicates that a campus like institutional use would still be the highest and best use. We therefore value Parcel C in this scenario, the same as in Valuation Scenario 1.

Valuation Scenario #3

3. *The diminution in value to the 12.4 acre Parcel C, subject to the hypothetical condition that the land is affected by a perpetual conservation restriction with public access provisions. This figure is the difference between the value “before”, unrestricted, and the value “after” with a conservation restriction in place.*

For this valuation scenario, a “before” and “after” technique is also required. But the “before” value of Parcel C has been established at \$3,100,000.

The after value assumes that in perpetuity the 12.4 acres are restricted from all development and that public access is allowed on the existing trails on the land and perhaps any new trails the local conservation commission deems reasonable.

To estimate the “after” value we reviewed the sales from Exhibit C presented earlier. These 9 sales of restricted, or non buildable land, were all from affluent suburban communities in Greater Boston. The sales range in size from 0.22 to 26.8 acres. The time adjusted prices per acre range from \$29,708 to \$163,885.

Based upon a review of this data, it is our opinion that an appropriate indicator for the value of the subject “after” or as restricted land, is \$75,000 per acre. Therefore, the diminution in value caused by the conservation restriction on Parcel C, as of August 3, 2017 is as follows:

Estimated Value of Parcel C Without Restriction	\$3,100,000
Estimated Value of Parcel C After Restriction	\$ 930,000
INDICATED DIMINUTION IN VALUE BECAUSE OF CR	\$2,200,000 (rounded)

Valuation Scenario #4

- 4. The value of the 12.4 acre Parcel C, subject to the extraordinary assumption that a claim of “easement by prescription” is accepted, as described herein.*

For a proper understanding of the claim being made by some nearby residents, the April 12, 2016 letter written by Attorney Gordon M. Orloff, contained in the Addenda to this letter must be read.

In short, it is claimed by some abutters, that the trails on the Parcel C and B components of the 21.75 acre property have been used by residents consistently and continually for over 20 years, in conjunction with the trails that connect with the abutting conservation lands of *Webster Woods*. This use was not denied in any way by ownership of the land. Therefore, there may be a claim of adverse-possession under Massachusetts Law in which the abutters now, in essence, have a form of ownership over these trail-portions of the land.

If we make this assumption, then it is also reasonable to assume that development of the land would be prevented as the claimants would not allow for the trails to be removed or built upon. The 12.4 acres would then become ‘non buildable’ or restricted land. The status of the 12.4 acres, in our opinion, would be similar to the status with a perpetual conservation restriction in place. And the value of the 12.4 acres as non buildable land has been established under Valuation Scenario 3.

The estimated value of Parcel C subject to the extraordinary assumption that a claim of “easement by prescription” is accepted, as of August 3, 2017 is **\$930,000**.

Valuation Scenario #5

- 5. The value of the 3.3 acre Parcel B, “as is”, subject to the existing 1954 deed restriction.*

The context of this valuation is that Parcel B is part of the total 21.75 acre property. We are not estimating its value as if it is a stand-alone backland parcel of land. Rather, we are estimating the contributory value of the 3.3 acres to the larger property.

We first estimate the value of the 21.75 acre property “as is”. We will then estimate the value of the remainder property after the 3.3 acres are removed from ownership, leaving the existing buildings on an 18.45 acre site. The difference between the two value estimates is the contributory value of Parcel B. (*Value of 21.75 acre property, less the value of the 18.35 acre property = the contributory value of Parcel B*).

The sales data used for this scenario include the 7 sales from Exhibit A presented above. These sales were adjusted for time/market conditions at the 6% annualized adjustment discussed earlier.

The only other quantitative adjustment made for this analysis was for the excess land that the subject has in comparison to all but two of the 7 comparable sales. To quantify this adjustment, we used the data from Exhibit B. It is our opinion that the adjustment for the excess land represented by Parcel C must be significantly higher than the \$100,000 per acre price paid for Sale #3 from Exhibit B, but slightly less than the

\$551,000 per acre paid for Sale #2 from Exhibit B. The latter has significant frontage on Route 9 and is independently developable. The former is inferior to the subject in terms of location and site utility. It has a higher percentage of wetlands. Based upon a review of this data, we used \$500,000 per acre in this analysis to adjust for the excess land of Parcel B.

The adjustments for both the “before” and “after” removal of Parcel B can be seen on the two adjustment grids that follow. Note that in the first grid the subject property contains the full 21.75 acres of land. In the second grid, the subject property has only 18.45 acres, to account for the ‘loss’ of Parcel B.

On the first grid, adjusted for market conditions, the sales range in price from \$135 to \$702 per square foot of gross building area. This is an all inclusive indicator that takes into consideration the location of the property, the size, quality, and condition of the improvements on site. Based upon a review of these sales, but with most emphasis given to the indicator from Sale #1, and slightly less to Sales #3, #5, and #6 which were mostly similar to the subject overall, after #1 in terms of location and size, it is our opinion that an appropriate indicator is \$331 per sq ft of gross building area.

One 2nd grid, the sales range in price from \$127-\$755 per sq ft of gross building. Again, giving most consideration to #1, and slightly less to #'s 3, #5, and #6 it is our opinion that an appropriate indicator is \$305 per sq ft of gross building area.

Based upon this analysis, we projected a “before” value of \$331 per sq ft of gross building area, or \$21,400,000 overall, and an “after” value of \$305 per sq ft of gross building area or \$19,750,000 overall.

The difference of **\$1,650,000** is the contributory value of Parcel B to the larger property.

SALES COMPARISON GRID - Value of the Entire 21.75 Acre Property As-Is

Annual Time Adjustment 6.00%
 Monthly Time Adjustment 0.50%
 Date of Valuation 3-Aug-17

SALE NO.	SUBJECT	1	2	3	4	5	6	7
Address	300 Hammond Pond Parkway Newton	300 HPP Newton	101-239 Herrick Newton	15 Walnut Pk Newton	1900 Comm Ave Newton	265 Lowell St Lexington	20 Pelham Rd Lexington	33 Marrett Rd Lexington
SALE DATA								
Sale Price	-----	\$20,000,000	\$31,950,000	\$15,350,000	\$3,600,000	\$11,700,000	\$7,950,000	\$10,950,000
Sale Date	-----	31-May-16	30-Jun-17	2-Sep-15	15-Nov-16	5-May-17	19-Apr-17	5-Dec-13
Time Adjusted Sale Price		\$21,410,256	\$32,128,550	\$17,118,631	\$3,754,438	\$11,873,077	\$8,088,511	\$13,356,336
Gross Building Area (sq ft)	64,736	64,736	237,873	95,163	17,450	41,991	45,650	23,100
Conditions of Sale	Fee Simple	Arms Length	Arms Length	Arms Length	Arms Length	Arms Length	Arms Length	Arms Length
Property Rights Conveyed	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Adjustment		0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Financing Terms		Conventional	Conventional	Conventional	Conventional	Conventional	Conventional	Conventional
Land Area (ac)	21.75	21.75	22.2	5.71	1.08	6.06	8.41	10.3
Adjustment		\$0	-\$225,000	\$8,020,000	\$10,335,000	\$7,845,000	\$6,670,000	\$5,725,000
Adjusted Sale Price		\$21,410,256	\$31,903,550	\$25,138,631	\$14,089,438	\$19,718,077	\$14,758,511	\$19,081,336
Price Per Square Foot		\$330.73	\$134.12	\$264.16	\$807.42	\$469.58	\$323.30	\$826.03

NON PHYSICAL FEATURES

Location	Excellent	Similar	Similar	Inferior	Slightly Inferior	Slightly Inferior	Slightly Inferior	Slightly Inferior
PHYSICAL FEATURES								
Condition of Building & Site Improv.	Average	Similar	Slightly Superior	Slightly Superior	Superior	Superior	Similar	Superior
Quality of Building	Average	Similar	Slightly Superior	Similar	Similar	Superior	Similar	Superior
Site Utility	Good	Similar	Similar	Similar	Similar	Similar	Inferior	Superior
Size of Building on Property	Medium	Similar	Large, Inferior	Large, Inferior	Small, Superior	Small, Superior	Similar	Small, Superior
Overall Comparison to the Subject		Similar	Inferior	Inferior	Superior	Slightly Superior	Slightly Inferior	Superior

Selected Per Sq Ft of Building Area Value Indicator:

\$ 331 This is the value of the ENTIRE 21.75 acre property, on a per sq ft of building area basis.
 Building Area 64,736
 Indication of Value \$ 21,427,616 This is the result of multiplying the Gross Building Area by the selected price per sq ft of building area.
ROUNDED 21,400,000

NOTES: Excess Land Adjusted at :

\$ 500,000 per acre

SALES COMPARISON GRID - Value of the REMAINDER Property of 18.45 Acres After Removing the 3.3 Acre Parcel B

Annual Time Adjustment 6.00%
 Monthly Time Adjustment 0.50%
 Date of Valuation 3-Aug-17

SALE NO.	SUBJECT	1	2	3	4	5	6	7
Address	300 Hammond Pond Parkway Newton	101-239 Herrick Newton	15 Walnut Pk Newton	1900 Comm Ave Newton	265 Lowell St Lexington	20 Pelham Rd Lexington	33 Marrett Rd Lexington	
SALE DATA								
Sale Price	----- \$20,000,000	\$31,950,000	\$15,350,000	\$3,600,000	\$11,700,000	\$7,950,000	\$10,950,000	
Sale Date	----- 31-May-16	30-Jun-17	2-Sep-15	15-Nov-16	5-May-17	19-Apr-17	5-Dec-13	
Time Adjusted Sale Price	\$21,410,256	\$32,128,550	\$17,118,631	\$3,754,438	\$11,873,077	\$8,088,511	\$13,356,336	
Gross Building Area (sq ft)	64,736	237,873	95,163	17,450	41,991	45,650	23,100	
Conditions of Sale	Arms Length	Arms Length	Arms Length	Arms Length	Arms Length	Arms Length	Arms Length	
Property Rights Conveyed	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	
Adjustment	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
Financing Terms	Conventional	Conventional	Conventional	Conventional	Conventional	Conventional	Conventional	
Land Area (ac)	18.45	22.2	5.71	1.08	6.06	8.41	10.3	
Adjustment		-\$1,875,000	\$6,370,000	\$8,685,000	\$6,195,000	\$5,020,000	\$4,075,000	
Adjusted Sale Price	\$19,760,256	\$30,253,550	\$23,488,631	\$12,439,438	\$18,068,077	\$13,108,511	\$17,431,336	
Price Per Square Foot	\$305.24	\$127.18	\$246.83	\$712.86	\$430.28	\$287.15	\$754.60	
NON PHYSICAL FEATURES								
Location	Excellent	Similar	Inferior	Slightly Inferior	Slightly Inferior	Slightly Inferior	Slightly Inferior	
PHYSICAL FEATURES								
Condition of Building & Site Improv.	Average	Slightly Superior	Slightly Superior	Superior	Superior	Similar	Superior	
Quality of Building	Average	Slightly Superior	Similar	Similar	Similar	Inferior	Superior	
Site Utility	Good	Similar	Similar	Similar	Similar	Similar	Superior	
Size of Building on Property	Medium	Large, Inferior	Large, Inferior	Small, Superior	Small, Superior	Similar	Small, Superior	
Overall Comparison to the Subject	Similar	Inferior	Inferior	Superior	Slightly Superior	Slightly Inferior	Superior	

Selected Per Sq Ft of Building Area Value Indicator:

\$ 305 This is the value of the REMAINDER 18.45 acre property, on a per sq ft of building area basis, AFTER Removing Parcel B from the property.

Building Area 64,736

Indication of Value \$ 19,744,480 This is the result of multiplying the Gross Building Area by the selected price per sq ft of building area.

ROUNDED 19,750,000

NOTES: Excess Land Adjusted at :

\$ 500,000 per acre

Valuation Scenario #6

6. *The value of the 3.3 acre Parcel B, subject to the hypothetical condition that the 1954 deed restriction is not enforceable or in-valid.*

Because the highest and best use of the property, whether or not the 1954 deed restriction is in effect, is for continued institutional use, the value under this scenario is the same as under Valuation Scenario #5, **\$1,650,000**. Why? Because even if all uses allowed under SR1 zoning were possible for the subject site, including residential development, our highest and best use conclusion indicates that a campus like institutional use would still be the highest and best use. We therefore value Parcel B in this scenario, the same as in Valuation Scenario 5.

Valuation Scenario #7

7. *The diminution in value to the 3.3 acre Parcel B, subject to the hypothetical condition that the land is affected by a perpetual conservation restriction with public access provisions. This figure is the difference between the value “before”, unrestricted, and the value “after” with a conservation restriction in place.*

For this valuation scenario, a “before” and “after” technique is also required. But the “before” value of Parcel B has been established at \$1,650,000.

The after value assumes that in perpetuity the 3.3 acres are restricted from all development and that public access is allowed on the existing trails on the land and perhaps any new trails the local conservation commission deems reasonable.

To estimate the “after” value we reviewed the sales from Exhibit C presented earlier. These 9 sales of restricted, or non buildable land, were all from affluent suburban communities in Greater Boston. The sales range in size from 0.22 to 26.8 acres. The time adjusted prices per acre range from \$29,708 to \$163,885.

Based upon a review of this data, it is our opinion that an appropriate indicator for the value of the subject “after” or as restricted land, is \$100,000 per acre. Therefore, the diminution in value caused by the conservation restriction on Parcel B, as of August 3, 2017 is as follows:

Estimated Value of Parcel B Without Restriction	\$1,650,000
Estimated Value of Parcel B After Restriction	\$ 330,000
INDICATED DIMINUTION IN VALUE BECAUSE OF CR	\$1,300,000 (rounded)

Valuation Scenario #8

8. *The value of the 3.3 acre Parcel B, subject to the extraordinary assumption that a claim of “easement by prescription” is accepted, as described herein.*

For a proper understanding of the claim being made by some nearby residents, the April 12, 2016 letter written by Attorney Gordon M. Orloff, contained in the Addenda to this letter must be read.

In short, it is claimed by some abutters, that the trails on the Parcel C and B components of the 21.75 acre property have been used by residents consistently and continually for over 20 years, in conjunction with the trails that connect with the abutting conservation lands of *Webster Woods*. And this use was not denied in any way by ownership of the land. Therefore, there may be a claim of adverse-possession under Massachusetts Law in which the abutters now, in essence, have a form of ownership over these trail- portions of the land.

If we make this assumption, then it is also reasonable to assume that development of the land would be prevented as the claimants would not allow for the trails to be removed or built upon. The 3.3 acres would then become ‘non buildable’ or restricted land. The status of the 3.3 acres, in our opinion, would be similar to the status with a perpetual conservation restriction in place. And the value of the 3.3 acres as non buildable land has been established under Valuation Scenario 7.

The estimated value of Parcel B subject to the extraordinary assumption that a claim of “easement by prescription” is accepted, as of August 3, 2017 is **\$330,000**.

RECONCILIATION AND VALUE CONCLUSION

The final step in estimating the market value is a correlation of the value from each of the approaches utilized in the appraisal process. Sales Comparison methods were used in estimating the value under each of the 8 scenarios for this analysis. Three different sets of data, involving 26 sales were used for the valuation scenarios.

The valuation scenarios involved “before” and “after” techniques to properly recognize that Parcels C and B are no isolated, backland parcels, but rather portions of a larger 21.75 acre property with frontage on Hammond Pond Parkway.

Based upon the methods of valuation used, it is our opinion that the market values of the subject property as of August 3, 2017 are as follows:

1. The value of the 12.4 acre Parcel C, “as is”, subject to the existing 1954 deed restriction.
\$3,100,000
2. The value of the 12.4 acre Parcel C, subject to the hypothetical condition that the 1954 deed restriction is not enforceable or in-valid.
\$3,100,000
3. The diminution in value to the 12.4 acre Parcel C, subject to the hypothetical condition that the land is affected by a perpetual conservation restriction with public access provisions. This figure is the difference between the value “before”, unrestricted, and the value “after” with a conservation restriction in place. It represents the cost of purchasing the development rights to the land, and leaving current ownership with a parcel of land with no development potential of any kind.
\$2,200,000
4. The value of the 12.4 acre Parcel C, subject to the extraordinary assumption that a claim of “easement by prescription” is accepted, as described herein.
\$930,000
5. The value of the 3.3 acre Parcel B, “as is”, subject to the existing 1954 deed restriction.
\$1,650,000
6. The value of the 3.3 acre Parcel B, subject to the hypothetical condition that the 1954 deed restriction is not enforceable or in-valid.
\$1,650,000
7. The diminution in value to the 3.3 acre Parcel B, subject to the hypothetical condition that the land is affected by a perpetual conservation restriction with public access provisions. This figure is the difference between the value “before”, unrestricted, and the value “after” with a conservation restriction in place. It represents the cost of purchasing the development rights to the land, and leaving current ownership with a parcel of land with no development potential of any kind.
\$1,300,000
8. The value of the 3.3 acre Parcel B, subject to the extraordinary assumption that a claim of “easement by prescription” is accepted, as described herein.
\$330,000

CERTIFICATION

We certify that, to the best of our knowledge and belief,...

- the statements of fact contained in this report are true and correct.
- the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal unbiased professional analyses, opinions, and conclusions.
- we have no present or prospective interest in the property that is the subject of this report, and we have no personal interest or bias with respect to the parties involved.
- we have performed services, as an appraiser, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- our compensation is not contingent on an action or event resulting from the analyses, opinions, or conclusions in, or the use of this report.
- our analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Practice of the Appraisal Institute.
- the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- Mr. Bowler and Mr. Avery are currently certified under the voluntary continuing education program of the Appraisal Institute.
- Christopher H. Bowler, MAI, SRA made a personal inspection of the property that is the subject of this report. Jonathan H. Avery, MAI, SRA did not personally inspect the subject property.
- no one provided significant professional assistance to the persons signing this report.
- the appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.

Based upon the analysis displayed above it is our opinion that the market values of portions of the subject property as of August 3, 2017, subject to the subject to the extraordinary assumption, hypothetical conditions, definitions, assumptions & limiting conditions, certifications set forth in the attached report are as follows:

1. The value of the 12.4 acre Parcel C, “as is”, subject to the existing 1954 deed restriction.
\$3,100,000
2. The value of the 12.4 acre Parcel C, subject to the hypothetical condition that the 1954 deed restriction is not enforceable or in-valid.
\$3,100,000
3. The diminution in value to the 12.4 acre Parcel C, subject to the hypothetical condition that the land is affected by a perpetual conservation restriction with public access provisions. This figure is the difference between the value “before”, unrestricted, and the value “after” with a conservation restriction in place.
\$2,200,000
4. The value of the 12.4 acre Parcel C, subject to the extraordinary assumption that a claim of “easement by prescription” is accepted, as described herein.
\$930,000
5. The value of the 3.3 acre Parcel B, “as is”, subject to the existing 1954 deed restriction.
\$1,650,000

6. The value of the 3.3 acre Parcel B, subject to the hypothetical condition that the 1954 deed restriction is not enforceable or in-valid.

\$1,650,000

7. The diminution in value to the 3.3 acre Parcel B, subject to the hypothetical condition that the land is affected by a perpetual conservation restriction with public access provisions. This figure is the difference between the value “before”, unrestricted, and the value “after” with a conservation restriction in place.

\$1,300,000

8. The value of the 3.3 acre Parcel B, subject to the extraordinary assumption that a claim of “easement by prescription” is accepted, as described herein.

\$330,000



Christopher H. Bowler, MAI, CRE
Massachusetts Certified General
Real Estate Appraiser #495



Jonathan H. Avery, MAI, CRE
Massachusetts Certified General
Real Estate Appraisers #26

ADDENDA

ADDITIONAL SUBJECT PROPERTY PHOTOS

SUBJECT PROPERTY PHOTOGRAPHS

300 Hammond Pond Parkway
Newton, Massachusetts
Taken by C.H. Bowler (6/29/2017)



Interior View of the Auditorium.



View Looking Northerly at the Main Entrance to the Building on Site.

SUBJECT PROPERTY PHOTOGRAPHS

300 Hammond Pond Parkway
Newton, Massachusetts
Taken by C.H. Bowler (6/29/2017)



Interior View of the Classroom Section of the Building.



Additional View Looking SW at the Parcel C Portion of the Subject Property.

SUBJECT PROPERTY PHOTOGRAPHS

300 Hammond Pond Parkway
Newton, Massachusetts
Taken by C.H. Bowler (6/29/2017)



View Looking Westerly Along a Path within the Parcel C Portion of the Subject Property.



View Looking NW at the Subject Building.

SUBJECT PROPERTY DEEDS

5 8



2016 00085187
Bk: 67338 Pg: 386 Doc: DEED
Page: 1 of 5 05/31/2016 09:56 AM

~~MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 05/31/2016 09:56 AM
Ctrl# 242802 17367 Doc# 00085187
Fee: \$91,200.00 Cons: \$20,000.00~~

Quitclaim Deed

Property Address: 300 Hammond Pond Parkway, Newton, Middlesex County, MA

CONGREGATION MISHKAN TEFILA, a Massachusetts religious corporation, having an address of 300 Hammond Pond Parkway, Newton, Middlesex County, Massachusetts 02467 ("**Grantor**"),

for consideration of Twenty Million and 00/100 Dollars (\$20,000,000.00) paid, grants,

with *Quitclaim Covenants*, to

TRUSTEES OF BOSTON COLLEGE, a Massachusetts Institution of Higher Education, having a mailing address of 140 Commonwealth Avenue, Chestnut Hill, Massachusetts 02467 ("**Grantee**"),

that certain parcel of land with the improvements thereon situated in Newton, Middlesex County, Massachusetts, more particularly described in Exhibit A attached hereto and made a part hereof.

Said premises are conveyed subject to all easements and restrictions of record, to the extent the same are now in effect and applicable, and subject to real estate taxes for the current fiscal period not yet due and payable which Grantee, by its acceptance hereof, hereby assumes and agrees to pay.

Meaning and intending to convey and hereby conveying all of the property conveyed to Grantor by deed of Henry G. Cohen, sometimes known as Harry Cohen, Nathan Yamins, Harry Feinberg, Robert Goldstein and Miah Marcus, Trustees of Congregation Mishkan Tefila (u/d/t dated July 22, 1954), dated July 22, 1954, recorded with the Middlesex South District Registry of Deeds in Book 9120, Page 167; see also deed of the Commonwealth of Massachusetts acting through its Metropolitan District Commission (formerly the Board of Metropolitan Park Commissioners), dated July 22, 1954, recorded with said Registry in Book 8500, Page 100.

(Remainder of Page Intentionally Left Blank; Signature Pages to Follow)

FIDELITY NATIONAL TITLE INSURANCE COMPANY

133 FEDERAL STREET, 3RD FLOOR

BOSTON, MA 02110

JAY MELKONIAN
14-0019

Executed as a sealed instrument as of May 20, 2016.

CONGREGATION MISHKAN TEFILA, a Massachusetts religious corporation

By: [Signature]
Name: Paul H. Gershkowitz
Title: President

By: [Signature]
Name: Mark Shooman
Title: Treasurer

COMMONWEALTH OF MASSACHUSETTS

Norfolk County, ss.

On this 20th day of May, 2016, before me, the undersigned notary public, personally appeared before me the above-named Paul H. Gershkowitz, proved to me through satisfactory evidence of identification, which was MA Driver's License (e.g., personal knowledge of identity, [] driver's license), to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it for the stated purposes as President of Congregation Mishkan Tefila, a Massachusetts religious corporation.

[Signature]
Notary Public
My commission expires:

[affix seal]

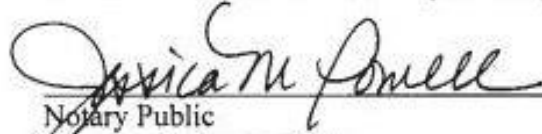


JESSICA M. POWELL
Notary Public
Commonwealth of Massachusetts
My Commission Expires Jan. 30, 2020

COMMONWEALTH OF MASSACHUSETTS

Middlesex County, ss.

On this 3rd day of May, 2016, before me, the undersigned notary public, personally appeared before me the above-named Mark Shoman, proved to me through satisfactory evidence of identification, which was _____ (e.g., personal knowledge of identity, driver's license), to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it for the stated purposes as Treasurer of Congregation Mishkan Tefila, a Massachusetts religious corporation.



Notary Public
My commission expires:

[affix seal]



JESSICA M. POWELL
Notary Public
Commonwealth of Massachusetts
My Commission Expires Jan. 30, 2020

EXHIBIT A

REAL PROPERTY DESCRIPTION

The land situated in Newton, County of Middlesex, Commonwealth of Massachusetts, and bounded and described as follows:

Beginning at a stone bound set in the southwesterly side line of Carlisle Street at land now or formerly of Edwin S. Webster, as shown on the plan hereinafter mentioned;

Thence the line runs North 62° 28' 49" East, crossing said Carlisle Street, forty and 66/100 (40.66) feet to a point at land now or formerly of Edwin S. Webster, et al, Trustees;

Thence South 17° 11' 51" East, forty and 36/100 (40.36) feet to a point;

Thence southeasterly by a line curving to the left with a radius of one hundred seventy and 00/100 (170.00) feet, eighty-two and 34/100 (82.34) feet to a stone bound;

Thence southeasterly, easterly and northeasterly by a line curving to the left with a radius of twenty and 00/100 (20.00) feet, thirty-two and 53/100 (32.53) feet to a stone bound;

Thence northeasterly by a line curving to the right with a radius of five hundred seventy-one and 39/100 (571.39) feet, three hundred fourteen and 57/100 (314.57) feet to a drill hole;

Thence North 73° 24' 23" East, ninety-one and 57/100 (91.57) feet to a stone bound;

Thence northeasterly, easterly and southeasterly by a line curving to the right with a radius of five hundred thirty-four and 41/100 (534.41) feet, four hundred ninety-one and 28/100 (491.28) feet to a point;

Thence South 53° 55' 21" East, one hundred thirty and 45/100 (130.45) feet to a stone bound;

Thence southeasterly by a line curving to the left with a radius of two thousand nine hundred thirteen and 30/100 (2,913.30) feet, four hundred ninety-eight and 79/100 (498.79) feet to a stone bound;

Thence southeasterly, easterly and northeasterly by a line curving to the left with a radius of four hundred fifty-eight and 81/100 (458.81) feet, two hundred seventy-nine and 47/100 (279.47) feet to a point;

Thence North 81° 22' 01" East, two hundred thirty and 11/100 (233.11) feet to a point at land of the Commonwealth of Massachusetts known as Hammond Pond Parkway; the last ten (10) courses and distances being by said land of Edwin S. Webster, et al Trustees;

Thence continuing North 81° 22' 01" East, thirty-four and 89/100 (34.89) feet, more or less, to a point; Thence southwesterly by a line curving to the right with a radius of eight hundred one and 50/100 (801.50) feet, five hundred and 00/100 (500.00) feet to a point;

Thence northwesterly, nine hundred seventy-five (975) feet, more or less, to a drill hole;

Thence continuing northwesterly, nine hundred forty (940) feet, more or less, to a stone bound at land now or formerly of Edwin S. Webster; the last four (4) courses and distances being by said land of the Commonwealth of Massachusetts;

Thence northeasterly, by a line curving to the right with a radius of five hundred seventy-one and $39/100$ (571.39) feet, one hundred forty-two and $82/100$ (142.82) feet to a stone bound;

Thence northeasterly, by a line curving to the left with a radius of three hundred fifteen and $24/100$ (315.24) feet, fourteen and $87/100$ (14.87) feet to a stone bound;

Thence North $3^{\circ} 04' 30''$ East, ten and $58/100$ (10.58) feet to a stone bound;

Thence northeasterly, northerly and northwesterly by a line curving to the left with a radius of three hundred fifteen and $60/100$ (315.60) feet, one hundred eleven and $67/100$ (111.67) feet to a stone bound;

Thence North $17^{\circ} 11' 51''$ West, seventy-nine and $07/100$ (79.07) feet to the bound first-mentioned and point of beginning; the last five (5) courses and distances being by said land now or formerly of Edwin S. Webster; containing twenty-three (23) acres, more or less and being shown on a plan entitled, "Commonwealth of Massachusetts Metropolitan District Commission Parks Division Hammond Pond Parkway Newton Plan of Land to be Conveyed to Trustees of Congregation Mishkan Tefila," prepared by Benjamin W. Fink, Director of Park Engineering, dated July 22, 1954, recorded with the Middlesex South District Registry of Deeds on August 3, 1954 as Plan No. 1252 of 1954 (in 3 parts; A, B and C).

8-0

MAR 23 1954 N 12:22 175RE***8.00

Henry G. Cohen, sometimes known as Harry Cohen, Nathan Yamins and Harry Feinberg, all of Newton, County of Middlesex, Commonwealth of Massachusetts, Robert Goldstein of Boston, County of Suffolk, Commonwealth of Massachusetts, and Miah Marcus of Brookline, County of Norfolk, Commonwealth of Massachusetts, as they are Trustees of Congregation Mishkan Tefila, under a Declaration of Trust dated July 22, 1954, and recorded herewith, for consideration paid, grant to Congregation Mishkan Tefila, a religious corporation duly organized under the laws of the Commonwealth of Massachusetts, with quitclaim covenants, the land situated in Newton, County of Middlesex, Commonwealth of Massachusetts, and bounded and described as follows:

Beginning at a stone bound set in the southwesterly side line of Carlisle Street at land now or formerly of Edwin S. Webster, as shown on the plan hereinafter mentioned;

Thence the line runs north $62^{\circ} 28' 49''$ east crossing said Carlisle Street forty and $66/100$ (40.66) feet to a point at land now or formerly of Edwin S. Webster, et al, Trustees:--

Thence south $17^{\circ} 11' 51''$ east forty and $36/100$ (40.36) feet to a point;

Thence southeasterly by a line curving to the left with a radius of one hundred seventy and $00/100$ (170.00) feet, eighty-two and $34/100$ (82.34) feet to a stone bound;

Thence southeasterly, easterly and northeasterly by a line curving to the left with a radius of twenty and $00/100$ (20.00) feet, thirty-two and $53/100$ (32.53) feet to a stone bound;

Thence northeasterly by a line curving to the right with a radius of five hundred seventy-one and $39/100$ (571.39) feet; three hundred fourteen and $57/100$ (314.57) feet to a drill hole;

Thence north $73^{\circ} 24' 23''$ east ninety-one and $57/100$ (91.57) feet to a stone bound;

Thence northeasterly, easterly and southeasterly by a line curving to the right with a radius of five hundred thirty-four and $41/100$ (534.41) feet, four hundred ninety-one and $28/100$ (491.28) feet to a point;

Thence south $53^{\circ} 55' 21''$ east one hundred thirty and $45/100$ (130.45) feet to a stone bound;

Thence southeasterly by a line curving to the left with a radius of two thousand nine hundred thirteen and $30/100$ (2913.30) feet, four hundred ninety-eight and $79/100$ (498.79) feet to a stone bound;

Thence southeasterly, easterly and northeasterly by a line curving to the left with a radius of four hundred fifty-eight and $81/100$ (458.81) feet, two hundred seventy-nine and $47/100$ (279.47) feet to a point;

Thence north $81^{\circ} 22' 01''$ east two hundred thirty and $11/100$ (230.11) feet to a point at land of the Commonwealth of Massachusetts known as Hammond Pond Parkway; the last ten (10) courses and distances being by said land of Edwin S. Webster, et al, Trustees;

Thence continuing north 81° 22' 01" east thirty-four and 89/100 (34.89) feet more or less to a point;

Thence southwesterly by a line curving to the right with a radius of eight hundred one and 50/100 (801.50) feet, five hundred and 00/100 (500.00) feet to a point;

Thence northwesterly nine hundred seventy-five (975) feet more or less to a drill hole;

Thence continuing northwesterly nine hundred forty (940) feet more or less to a stone bound at land now or formerly of Edwin S. Webster; the last four (4) courses and distances being by said land of the Commonwealth of Massachusetts;

Thence northeasterly by a line curving to the right with a radius of five hundred seventy-one and 39/100 (571.39) feet, one hundred forty-two and 82/100 (142.82) feet to a stone bound;

Thence northeasterly by a line curving to the left with a radius of three hundred fifteen and 24/100 (315.24) feet, fourteen and 67/100 (14.87) feet to a stone bound;

Thence north 3° 04' 30" east ten and 58/100 (10.58) feet to a stone bound;

Thence northeasterly, northerly and northwesterly by a line curving to the left with a radius of three hundred fifteen and 60/100 (315.60) feet, one hundred eleven and 67/100 (111.67) feet to a stone bound;

Thence north 17° 11' 51" west seventy-nine and 07/100 (79.07) feet to the bound first mentioned and point of beginning; the last five (5) courses and distances being by said land now or formerly of Edwin S. Webster; containing twenty-three (23) acres more or less and being shown on a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Parks Division, Hammond Pond Parkway, Newton, Plan of land to be conveyed to Trustees of Congregation Mishkan Tefila, *** July 22, 1954, Benjamin W. Pink, Director of Park Engineering," being plan recorded in Middlesex South District Registry of Deeds August 3, 1954 as Plan 1252 of 1954 (in 3 parts: A, B and C).

Meaning and intending to convey the same premises conveyed to us as Trustees of Congregation Mishkan Tefila as aforesaid by deed of The Commonwealth of Massachusetts acting through its Metropolitan District Commission dated July 22, 1954 and recorded with Middlesex South District Deeds, Book 8300, page 100, and subject to the restrictions therein contained, in which deed the said Henry G. Cohen is referred to as Harry Cohen.

WITNESS our hands and seals this 22nd day of July, 1954.

Henry G. Cohen
 Henry G. Cohen Trustee

Nathan Yamins
 Nathan Yamins Trustee

Harry Feinberg
 Harry Feinberg Trustee

Robert Goldstein
 Robert Goldstein Trustee

Mish Marcus
 Mish Marcus Trustee
 Trustees of Congregation Mishkan Tefila as aforesaid

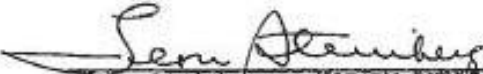
COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

Boston, Massachusetts
July 22, 1954

Then personally appeared the above named Henry G. Cohen, Nathan Yamins, Harry Feinberg, Robert Goldstein and Miah Marcus, as Trustees of Congregation Mishkan Tefila and acknowledged the foregoing deed to be their free acts and deeds.

Before me,


Leon Steinberg NOTARY PUBLIC
Expiration date of Commission:
June 15, 1957

The undersigned and each subsequent owner of the equity of redemption of the real estate at any time covered by this mortgage, shall at all times be a member of the Reliance Co-operative Bank, as provided in the statutes of the Commonwealth or the by-laws of said bank; and failure to comply with this requirement shall constitute a breach of condition of this mortgage, for which the unpaid balance of the loan secured by this mortgage shall become due and payable forthwith, at the option of the said Bank.

For any breach of the aforesaid *Statutory Condition* or any of the aforesaid other *Conditions* the *Mortgagee* shall have the *Statutory Power of Sale*.

Wherever the words *Mortgagor* and *Mortgagee* are used herein they shall include their several heirs, executors, administrators, successors, grantees and assigns subject to the limitations of law and of this instrument, and if the context requires, the words *Mortgagor* and *Mortgagee* and the pronouns referring to them shall be construed as plural, neuter or feminine.

WITNESS our hand and seal this Second day
of August --- 19 54.

Ralph H. Gilbert
Madelene Gilbert

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss August 2 19 54.

Then personally appeared the above-named Ralph H. Gilbert

and acknowledged the foregoing instrument

to be his-- free act and deed, before me,

Louis L. Green
(Louis L. Green) Notary Public Justice of the Peace

My commission expires May 20, 19 61.

Rec'd & entered for record Aug. 3, 1954 at Ph. 52m. 4.1. 438

OUT BOOK 7120 Page 121
" " 9120 " 160
" " 9120 " 161

The Commonwealth of Massachusetts acting through its Metropolitan District Commission, for consideration paid, grants to Harry Cohen, Nathan Yamins and Harry Feinberg, all of Newton, Middlesex County, Massachusetts, Robert Goldstein of Boston, Suffolk County, Massachusetts, and Mish Marcus of Brookline, Norfolk County, Massachusetts, as they are Trustees of Congregation Mishkan Tefila of Roxbury, Massachusetts, with quitclaim covenants, the land situated in Newton in the County of Middlesex and Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a stone bound set in the southwesterly side line of Carlisle Street at land now or formerly of Edwin S. Webster, as shown on the plan herein-after mentioned;
Thence the line runs north 62° 28' 49" east crossing said Carlisle Street forty and 66/100 (40.66) feet to a point at land now or formerly of Edwin S. Webster, et al, Trustees;

Thence south $17^{\circ} 11' 51''$ east forty and $36/100$ (40.36) feet to a point;
Thence southeasterly by a line curving to the left with a radius of one hundred seventy and $00/100$ (170.00) feet, eighty-two and $34/100$ (82.34) feet to a stone bound;

Thence southeasterly, easterly and northeasterly by a line curving to the left with a radius of twenty and $00/100$ (20.00) feet, thirty-two and $53/100$ (32.53) feet to a stone bound;

Thence northeasterly by a line curving to the right with a radius of five hundred seventy-one and $39/100$ (571.39) feet, three hundred fourteen and $57/100$ (314.57) feet to a drill hole;

Thence north $73^{\circ} 24' 23''$ east ninety-one and $57/100$ (91.57) feet to a stone bound;

Thence northeasterly, easterly and southeasterly by a line curving to the right with a radius of five hundred thirty-four and $41/100$ (534.41) feet, four hundred ninety-one and $28/100$ (491.28) feet to a point;

Thence south $53^{\circ} 55' 21''$ east one hundred thirty and $45/100$ (130.45) feet to a stone bound;

Thence southeasterly by a line curving to the left with a radius of two thousand nine hundred thirteen and $30/100$ (2913.30) feet, four hundred ninety-eight and $79/100$ (498.79) feet to a stone bound;

Thence southeasterly, easterly and northeasterly by a line curving to the left with a radius of four hundred fifty-eight and $81/100$ (458.81) feet, two hundred seventy-nine and $47/100$ (279.47) feet to a point;

Thence north $81^{\circ} 22' 01''$ east two hundred thirty and $11/100$ (230.11) feet to a point at land of the Commonwealth of Massachusetts known as Hammond Pond Parkway; the last ten (10) courses and distances being by said land of Edwin S. Webster, et al. Trustees;

Thence continuing north $81^{\circ} 22' 01''$ east thirty-four and $89/100$ (34.89) feet more or less to a point;

Thence southeasterly by a line curving to the right with a radius of eight hundred one and $50/100$ (801.50) feet, five hundred and $00/100$ (500.00) feet to a point;

Thence northwesterly nine hundred seventy-five (975) feet more or less to a drill hole;

Thence continuing northwesterly nine hundred forty (940) feet more or less to a stone bound at land now or formerly of Edwin S. Webster; the last four (4) courses and distances being by said land of the Commonwealth of Massachusetts;

Thence northeasterly by a line curving to the right with a radius of five hundred seventy-one and $39/100$ (571.39) feet, one hundred forty-two and $82/100$ (142.82) feet to a stone bound;

Thence northeasterly by a line curving to the left with a radius of three hundred fifteen and $24/100$ (315.24) feet, fourteen and $87/100$ (14.87) feet to a stone bound;

Thence north $3^{\circ} 04' 30''$ east ten and $58/100$ (10.58) feet to a stone bound;

Thence northeasterly, northerly and northwesterly by a line curving to the left with a radius of three hundred fifteen and $60/100$ (315.60) feet, one hundred eleven and $67/100$ (111.67) feet to a stone bound;

Thence north $17^{\circ} 11' 51''$ west seventy-nine and $07/100$ (79.07) feet to the bound first mentioned and point of beginning; the last five (5) courses and distances being by said land now or formerly of Edwin S. Webster; containing twenty-three (23) acres more or less and being shown on a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Parks Division, Hammond Pond Parkway, Newton, Plan of land to be conveyed to Trustees of Congregation Mishkan Tefila, * * * July 22, 1954, Benjamin W. Fink, Director of Park Engineering," being plan accession number 32696-V.T. to be recorded herewith.

The aforesaid premises are conveyed subject to the following restrictions for the benefit of remaining land of the grantor abutting said land, which restrictions shall remain in effect for a period of ninety-nine (99) years from the date hereof:

1. That said premises shall be used only for educational or religious purposes and for non-profit recreational activities in connection therewith.
2. That no building or structure or part thereof shall be erected, placed or maintained easterly of a line marked "Restriction Line" on the plan recorded herewith.

IN WITNESS WHEREOF the Commonwealth of Massachusetts has caused these presents to be executed in its name by a majority of its said Metropolitan

District Commission, and
out, however, incurring any personal liability by reason of the execution hereof
or of anything herein contained, this *twenty-second* day of *July*, 1954.

COMMONWEALTH OF MASSACHUSETTS

By

W. W. ... Commissioner

John J. Grigelus) Associate

Milton Cook) Commissioners

Benjamin W. Pink)
Being a majority of the
Metropolitan District Commission.

COMMONWEALTH OF MASSACHUSETTS

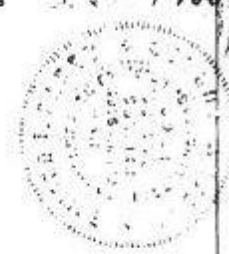
Suffolk, ss.

July 22 1954.

Then personally appeared the above named John J. Grigelus, Associate
Commissioner as aforesaid, and acknowledged the foregoing instrument to be his
free act and deed and the free act and deed of the Commonwealth of Massachusetts
before me

Frank A. ...
Notary Public

My commission expires *July 22* 1954



In Metropolitan District Commission

Boston *July 22*, 1954

VOTED: To convey to the Trustees of Congregation Mishkan Tefila of
Boston (Roxbury District) Suffolk County, Massachusetts, a parcel of land
situated in Newton in the County of Middlesex containing approximately 23
acres and shown on a plan entitled "Commonwealth of Massachusetts, Metropolitan
District Commission, Parks Division, Hammond Pond Parkway, Newton. Plan of land
to be conveyed to Congregation Mishkan Tefila, * * * July 22, 1954, Benjamin W.
Pink, Director of Park Engineering," being plan accession number 32696-V.T.
subject to the restriction for a period of 99 years said premises shall be
used for educational or religious purposes and for non profit recreational
activities and that no buildings or structures or part thereof be erected,

RECORDED PLAN

PRESCRIPTIVE EASEMENT LEGAL LETTER

RACKEMANN SAWYER & BREWSTER

PROFESSIONAL CORPORATION
COUNSELLORS AT LAW

Established 1886

Gordon M. Orloff
(617) 951-1118
gorloff@rackemann.com

April 12, 2016

James Freas, Acting Director
City of Newton Planning Department
Newton City Hall, Room 202
1000 Commonwealth Avenue
Newton MA, 02459

Re: Webster Woods: Prescriptive Easements Bearing on Appraisal

Dear Mr. Freas:

As you know, Boston College is in the process of acquiring from Congregation Mishkan Tefila (the "Congregation") property off Hammond Pond Parkway. That property includes an undeveloped section of woodlands containing Bare Pond (the "Bare Pond Section"), which is located between the Webster Conservation Area and the Hammond Pond DCR Reservation and extends westerly to the Cohen Conservation Area.

A volunteer group of Newton residents known as The Friends of Webster Woods is advocating for the City to acquire the Bare Pond Section and potentially the rear parking lot that protrudes into those woods in order to ensure continued public use and enjoyment, particularly of the wooded area, and to preserve those areas from harmful development.

I understand that obtaining an appraisal is one of the early steps in the process of the City acquiring this land. I have been practicing law for thirty years and concentrate my practice in real estate litigation. The Friends of Webster Woods group has asked me to outline for the appraiser and you the prescriptive easement rights that nearby residents have acquired in and over the Bare Pond Section as a result of their use of that land over decades. Those rights restrict the development potential of that land and should be taken into account in determining its value.¹

By way of orienting you to the area, the Bare Pond Section is not marked in any way on the ground and is visually indistinguishable from the public land that surrounds it on three sides.

¹ This, in addition to the more obvious facts that (i) Bare Pond is a vernal pool, resulting in certain protections under the Wetlands Protection Act, and (ii) the Congregation's deed contains restrictions on uses of its land.

Two dirt roads (one north-south, the other east-west) cross over the Bare Pond Section. In addition, a series of foot paths or trails near Bare Pond and on the hill leading up to that Pond run generally in a north-south direction over that Section. These roads and paths connect to roads and paths located on the surrounding public land.²

I have been provided with written information from a number of neighborhood residents and others about their long-term use of this area. This information demonstrates that, for decades, neighborhood residents and other members of the public have used the roads and paths that cross the Bare Pond Section as an extension of their year-round recreational uses of the surrounding public land. Their uses of the Bare Pond Section include walking, running, cross-country skiing and dog walking, as well as conducting botanical research and teaching skills such as orienteering. Thus far our investigation has located at least twelve individuals, each of whom has used this Section virtually every week (if not nearly daily) for a period of at least twenty years. Of course, scores of additional people use these woods and we are confident that many others have used the roads and paths on the Bare Pond Section multiple times a week over a period of twenty or more years.

An easement by prescription is acquired by the (1) continuous and uninterrupted, (2) open and notorious, and (3) adverse use of another's land (4) for a period of not less than twenty years. *White v. Hartigan*, 464 Mass. 400, 413 (2013). Each of the twelve individual has used the roads and paths on the Bare Pond Section on an ongoing and regular basis that never has been interrupted. This use satisfies the first requirement.

These individuals also have made recreational use of the roads and paths on the Bare Pond Section openly and notoriously, meaning that the use was without attempted concealment and "sufficiently pronounced so as to be made known, directly or indirectly, to the landowner if he or she maintained a reasonable degree of supervision over the property." *Boothroyd v. Bogartz*, 68 Mass. App. Ct. 40, 44 (2007). Any representative of the Congregation who ventured onto the Bare Pond Section would have seen each of these individuals on the roads and foot paths over the course of, at most, a few days.

Because none of them asked for, or received, the Congregation's permission to use its land, the individuals' use of the roads and paths meets the "adversity" requirement. In fact, given the lack of any interaction between the Congregation and these individuals, their uses fall within "[t]he rule ... that wherever there has been the use of an easement for twenty years unexplained [by an action of the landowner], it will be presumed to be under claim of right and

² The approximate locations of the roads and paths are shown on the enclosed aerial photograph.

adverse, and will be sufficient to establish title by prescription” *Rotman v. White*, 74 Mass. App. Ct. 586, 589 (2009) (internal quotations and citations omitted).

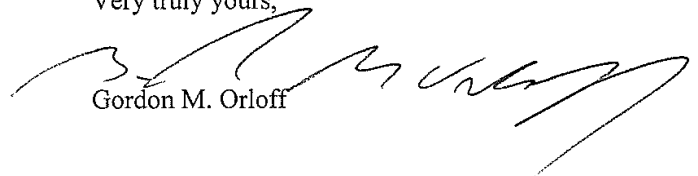
Lastly, because the adverse and open use has continued for at least twenty years, each of these individuals satisfies the final prong of the test for establishing a prescriptive easement.

As a result, the owner of the Bare Pond Section could not use or develop it in a manner that would impair the prescriptive easement rights held by these individuals (and potentially others). Given the number and extent of the roads and paths in this Section, it is likely that these rights have a substantial effect on its development potential.

In closing, the intent of this letter is not to threaten the filing of a legal action at this time. Rather, its purpose is to enable the City’s appraiser to take into account the negative impact on value resulting from the fact that the Bare Pond Section is criss-crossed with roads and paths in which others have rights.

Please feel free to contact me with any questions.

Very truly yours,



Gordon M. Orloff

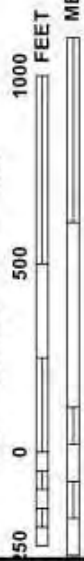
GMO:eab
Enclosure

cc: Friends of Webster Woods

FEMA FLOOD MAP PANEL



MAP SCALE 1" = 500'



NFIP NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0558E

FIRM
 FLOOD INSURANCE RATE MAP
 MIDDLESEX COUNTY,
 MASSACHUSETTS
 (ALL JURISDICTIONS)

PANEL 558 OF 656
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:
 COMMUNITY NUMBER 250208
 NEWTOWN CITY OF 0028

MAP NUMBER 25017C0558E
 EFFECTIVE DATE JUNE 4, 2010

Notice to User: The Map Number shown below should be used when placing map orders. The Community Number shown above should be used on insurance applications for the subject community.



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

SOILS MAP

Soil Map—Middlesex County, Massachusetts



Map Unit Legend

Middlesex County, Massachusetts (MA017)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
53A	Freetown muck, ponded, 0 to 1 percent slopes	0.8	3.1%
104C	Hollis-Rock outcrop-Charlton complex, 0 to 15 percent slopes	7.5	27.4%
106C	Narragansett-Hollis-Rock outcrop complex, 3 to 15 percent slopes	4.8	17.6%
106D	Narragansett-Hollis-Rock outcrop complex, 15 to 25 percent slopes	7.1	25.8%
317B	Scituate fine sandy loam, 3 to 8 percent slopes, extremely stony	0.5	1.6%
602	Urban land	6.7	24.5%
Totals for Area of Interest		27.5	100.0%

NEWTON BUILDING LOT SALES SUMMARY

NEWTON BUILDING LOT SALES SUMMARY

Date of Valuation 3-Aug-17
 Time Adjustment 6.0% (on an annualized basis)

#	Address	Sale Date	Price & Adjusted Price	Legal Reference (Bk/Pg)	Assessor's Map/Block/Lot	Land Area (sf)	Time Adj. Price Per Sq Ft	Seller/ Buyer	Water/ Sewer	"Tear-Down" Lot Sale(?)	Zoning
1	367-377 Langley Rd	\$4,000,000 31-Mar-16	\$ 4,322,262	67014/390	65/19/56,57,58 (3 lots)	56,121	\$ 77.02	Langley New ton LLC/ 367-377 Langley Rd LLC	public/ public	Yes	MR 1
2	367-377 Langley Rd	\$3,700,000 19-Aug-15	\$ 4,134,972	65938/202, 207, 220	65/19/56,57,58 (3 lots)	56,121	\$ 73.68	Mario Signore et al/ Langley New ton LLC/	public/ public	Yes	MR 1
3	133-157 Dudley Road	\$3,100,000 5-Nov-13	\$ 3,796,761	62890/124,128	81/51/6 (3 lots)	222,049	\$ 17.10	Vickery H. Kehlenbeck/ Dudley Realty Development LLC	public/ public	Yes	SR 1
4	174 Valentine Street 107 Bigelow Road	\$2,600,000 1-Feb-16	\$ 2,834,693	66752/587	32/54/6 (2 lots)	59,994	\$ 47.25	Diane E. Freeman 174 Valentine Street LLC	public/ public	Partial	SR 1
5	69 Pickwick Road	\$2,200,000 30-Jun-17	\$ 2,212,299	LC 1511/9	53/37/8	23,185	\$ 95.42	Charles E. Magrow 3rd T Michael D. Shafer	public/ public	Yes	SR 1
6	35A Pickwick Road	\$1,900,000 23-May-14	\$ 2,264,880	63655/74	53/37/5	18,530	\$ 122.23	David Tarrant/ Matthew Harkins	public/ public	Yes	SR 1
7	19 Patten Circle	\$1,706,250 30-Jun-16	\$ 1,818,186	67538/49	83/36/45	25,000	\$ 72.73	Lin Nick/ Michael Kaplan	public/ public	Yes	SR 1
8	157 Dudley Road	\$1,600,000 30-Jan-15	\$ 1,840,973	64871/325	81/51/6B	120,105	\$ 15.33	Dudley Realty Development/ DJL Development Dudley LLC	public/ public	No	SR 1
9	135 Neshobe Road	\$1,400,000 13-Oct-15	\$ 1,551,924	LC 1480/63	55/26/12	20,673	\$ 75.07	Dick Y. Chin 135 Neshobe LLC	public/ public	No	SR 2
10	25 Annawan Road	\$1,400,000 5-May-15	\$ 1,588,984	65320/423	55/39/1	15,171	\$ 104.74	Charles Nicolazzo 25 Annawan Road LLC	public/ public	Yes	SR 2
11	12 Ruane Circle	\$1,350,000 27-Jun-16	\$ 1,439,231	67510/377	32/21/23	18,792	\$ 76.59	12 Ruane Circle RT 12 Ruane Circle LLC	public/ public	No	SR 1
12	150 Sargent Street	\$1,350,000 14-Jun-12	\$ 1,766,409	59295/418	73/1/4A	30,869	\$ 57.22	Carroll Center for Blind/ Bryna Kaplan	public/ public	No	SR 2
13	16 Sharon Avenue	\$1,265,000 7-Aug-15	\$ 1,416,209	65875/467	43/3/4 (2 lots)	15,473	\$ 91.53	Caruso/ Romm	public/ public	Yes	MR 1
14	Woodland Rd, Central St	\$1,250,000 3-Dec-15	\$ 1,375,164	66469/369	43/23/17,18 (2 lots)	20,796	\$ 66.13	33 Woodlawn LLC/ 33 Woodland Road LLC	public/ public	Yes	SR 3
15	39 Orchard Avenue	\$1,235,000 12-Apr-16	\$ 1,332,062	67079/230	54/8/57	17,200	\$ 77.45	Jay C. Pattin 39 Orchard Ave LLC	public/ public	Yes	SR 2
16	40 Beaumont Avenue	\$1,200,000 1-Apr-16	\$ 1,296,481	67028/248	24/29/3	20,156	\$ 64.32	Ann Baum 40 Beaumont Ave Dev LLC	public/ public	Yes	SR 2
17	275 Brookline Street	\$1,121,000 9-Jun-15	\$ 1,265,871	65507/181	82/40/15	48,832	\$ 25.92	275 Brookline St LLC 275 Brookline LLC	public/ public	Yes	SR 1

18	Drumlin Road	\$ 1,100,000 31-Jan-14	\$ 1,331,503	LC1448/98	82/25/35	26,619	\$ 50.02	John Levanthal/ Drumlin Road LLC	public/ public	No	SR 1
19	82 Broken Tree Road	\$ 1,100,000 22-Mar-17	\$ 1,124,235	69040/201	82/20/1	15,718	\$ 71.53	Harriet K. Silver 82 Broken Tree LLC	public/ public	Yes	SR 1
20	Edinboro Street	\$ 1,050,000 1-Apr-16	\$ 1,134,421	67030/109	21/22/25	16,837	\$ 67.38	KF Development LLC Heather P. Wilson	public/ public	No	MR 1
21	136 Old Farm Road	\$ 1,050,000 17-Jul-15	\$ 1,179,135	65747/510	82/20/24	15,488	\$ 76.13	Prince Realty LLC 136 Old Farm LLC	public/ public	No	SR 1
22	38 Columbine Road	\$ 1,025,000 8-Oct-15	\$ 1,137,073	66202/330	82/41/5	21,720	\$ 52.35	Harriet Rossow T Columbine Road Realty LLC	public/ public	Yes	SR 1
23	43 Upland Rd Waban	\$ 1,070,000 5-Jun-15	\$ 1,208,984	65487/116	53/19/11	10,512	\$ 115.01	Keske Toyofuku EBL Properties LLC	public/ public	Yes	SR 2
24	108 Harwich Road	\$ 920,000 26-Jun-17	\$ 925,748	LC1510/65	82/37/67	10,200	\$ 90.76	David Feinberg Avellino Real Estate LLC	public/ public	Yes	SR 3
25	56 Stearns Street	\$ 915,000 18-Mar-16	\$ 990,673	66954/227	62/23/14	10,819	\$ 91.57	Robert Berk Blue Fin Investments LLC	public/ public	Yes	SR 3
26	32 Littlefield Road	\$ 900,000 15-Mar-16	\$ 974,877	66932/578	81/5/2A	11,150	\$ 87.43	Ruth Quint 32 Littlefield LLC	public/ public	Yes	SR 2
27	180 Greenwood Street	\$ 900,000 8-Apr-16	\$ 971,325	67058/539	82/7/16	10,270	\$ 94.58	Susan K. Sklover 180 Greenwood LLC	public/ public	Yes	SR 2
28	21 Cotter Road	\$ 880,000 3-May-16	\$ 946,123	67191/403	53/5/11	7,500	\$ 126.15	Kozlowski Louise G. est 21 Cotter Road LLC	public/ public	Yes	MR 1
29	29 Troy Lane	\$ 875,000 5-Jun-15	\$ 1,010,379	64756/169	53/4/7	7,193	\$ 140.47	Joseph Sayees Paragon Investments LLC	public/ public	Yes	MR 1
30	59 Highland Street	\$ 875,000 24-Mar-17	\$ 893,990	69052/245	32/7/2	11,260	\$ 79.40	Burke FT 59 Highland LLC	public/ public	Yes	SR 2
31	171 Winchester Street	\$ 855,000 30-Jul-15	\$ 958,325	1007/199	83/11/4	10,786	\$ 88.85	Winchester Garden RT Kane Built Inc	public/ public	Yes	MR 1
32	12 Valley Spring Road	\$ 840,000 23-Jun-15	\$ 946,623	65589/457	72/39/7	8,977	\$ 105.45	Manning IRT 12 Valley Spring Road LLC	public/ public	Yes	SR 2
33	20 Redwood Road	\$ 840,000 18-May-15	\$ 951,595	900/21	82/24/9	10,401	\$ 91.49	Harlan L. Masters 20 Redwood LLC	public/ public	Yes	SR 2
34	912 Dedham Street	\$ 825,000 9-Jun-17	\$ 832,461	69412/315	82/18/10	19,350	\$ 43.02	Goldberg Bernard Est Dedham Street LLC	public/ public	Yes	SR 1
35	36 Nickerson Road	\$ 822,000 28-Jul-16	\$ 872,142	1184/111	82/27/10	7,938	\$ 109.87	Judith W. Andelman 36 Nickerson Road LLC	public/ public	Yes	SR 3
36	169 Hartman Road	\$ 815,000 28-Dec-15	\$ 893,257	66593/485	82/15/52	10,141	\$ 88.08	Morton Backer GZ Development LLC	public/ public	Yes	SR 2

37	192 Fuller Street	\$ 800,000	\$ 886,550	66231/463	53/38/10	15,022	\$ 59.02	Dartmouth Street	public/	Yes	SR 1
		15-Oct-15						Zero Fuller Street LLC	public		
38	124 Hartman Road	\$ 800,000	\$ 885,104	66277/497	82/7/22	10,064	\$ 87.95	Hana Krassa LT	public/	Yes	SR 2
		26-Oct-15						Sparrow Bldrs 124 Hartman	public		
39	37 Stearns Street	\$ 800,000	\$ 896,547	65841/378	62/22/24	8,176	\$ 109.66	Fred Manouk	public/	Yes	SR 3
		31-Jul-15						Sunshine Development LLC	public		
40	33 Green Street	\$ 785,000	\$ 899,614	64976/82	11/13/15	9,945	\$ 90.46	Diduca FT	public/	Yes	MR 1
		27-Feb-15						33 Green Street LLC	public		
41	35 Cross Hill Road	\$ 780,000	\$ 811,677	68486/141	82/14/10	11,128	\$ 72.94	Lawrence A. Greenberg	public/	Yes	SR 2
		29-Nov-16						35 Cross Hill LLC	public		
42	155 Hartman Road	\$ 760,000	\$ 846,597	66049/461	82/15/50	10,004	\$ 84.63	Mina Gerber	public/	Yes	SR 2
		10-Sep-15						Hartman Road LLC	public		
43	38 Andrew Street	\$ 748,000	\$ 798,547	1381/62	83/6A/4	10,200	\$ 78.29	Andrew Street RT 2	public/	No	SR 3
		18-Jun-16						38 Andrew LLC	public		
44	896 Chestnut Street	\$ 735,000	\$ 754,698	LC 1504/50	54/1/31	10,379	\$ 72.71	896 Chestnut LLC	public/	No	MR 1
		21-Feb-17						Chestnut Flagg LLC	public		
45	12 Suban Place	\$ 730,000	\$ 786,172	67134/513	51/23/4	12,344	\$ 63.69	Sato Knudsen	public/	Yes	MR 2
		22-Apr-16						12 Suban Place LLC	public		
46	117 Brackett Road	\$ 725,000	\$ 776,735	67325/42	73/5/3	12,560	\$ 61.84	Gregory A. Jacobs	public/	Yes	SR 2
		26-May-16						Hub Development	public		
47	333 Country Club Road	\$ 720,000	\$ 806,301	65864/192	82/15/29	10,307	\$ 78.23	Yee Ft	public/	Yes	SR 2
		5-Aug-15						333 Country Club Road LLC	public		
48	10 Timson Path	\$ 715,000	\$ 770,841	67097/246	84/12/12	12,207	\$ 63.15	Mkhial Rubinov	public/	Yes	SR 2
		15-Apr-16						10 Timson Path LLC	public		
49	5 Drew Road	\$ 710,000	\$ 758,446	1257/65	82/29/3	8,155	\$ 93.00	Lucien Castaing-Taylor	public/	Yes	SR 3
		14-Jun-16						Erpress Realty Dev LLC	public		
50	300 Kenrick Street	\$ 695,000	\$ 736,823	67737/395	72/40/6	15,609	\$ 47.21	Frances Wilson-Masland	public/	Yes	SR 2
		2-Aug-16						5 C Contracting LLC	public		
51	58 Myerson Lane	\$ 685,000	\$ 719,689	68114/147	84/28/1	12,691	\$ 56.71	Greta Caplan	public/	Yes	SR 2
		29-Sep-16						58 Myerson LLC	public		
52	112 Osborne Path	\$ 680,000	\$ 684,584	69488/224	84/12/4	11,980	\$ 57.14	Yevgueni Agoureev	public/	Yes	SR 2
		23-Jun-17						Kagan Development KDC	public		
53	29 Parker Avenue	\$ 675,000	\$ 765,007	65373/397	81/36/6	8,800	\$ 86.93	Backaler Shirley C. est	public/	Yes	SR 3
		15-May-15						29 Parker Avenue RT	public		
54	15 Margaret Road	\$ 665,000	\$ 748,535	65665/270	51/20/3	5,400	\$ 138.62	Jerry J. Demtigran	public/	Yes	MR 2
		1-Jul-15						15 Margaret Road LLC	public		
55	19 Carthay Circle	\$ 665,000	\$ 765,155	64854/303	54/22/11	7,950	\$ 96.25	Enos Lena C. est	public/	Yes	MR 1
		30-Jan-15						19 Carthay LLC	public		
56	200 Upland Avenue	\$ 660,000	\$ 731,404	66228/467	83/20/16	11,955	\$ 61.18	Sandra O. McDonough	public/	Yes	SR 2
		15-Oct-15						Jeffrey J. Popma	public		

57	12 Botsford Road	\$ 641,000	\$ 734,800	1293/188	82/37/26	7,518	\$ 97.74	public/ public	Yes	SR3
		25-Feb-15						Jim L. Li 12 Botsford Road LLC		
58	31 McCarthy Road	\$ 639,000	\$ 719,059	65824/309	84/28/20	9,100	\$ 79.02	public/ public	Yes	SR3
		3-Jul-15						Leonid Kuznetsov 31 McCarthy Rd LLC		
59	19 Craigie Terrace	\$ 637,500	\$ 665,591	68365/278	24/25/16	19,300	\$ 34.49	public/ public	Yes	SR2
		8-Nov-16						Tuscher Mary A. est Iyengar Realty LLC		
60	9 Cibul Path	\$ 625,000	\$ 650,177	68508/30	84/14/3	9,929	\$ 65.48	public/ public	Yes	SR3
		1-Dec-16						Paul F. Rubin IRT Sterling Construction & Development		
61	15 Nightingale Road	\$ 625,000	\$ 671,346	67214/330	84/25/3	12,280	\$ 54.67	public/ public	Yes	SR2
		9-May-16						Stanley N. Pearlstein Nightingale Development		
62	137 Wiswall Road	\$ 625,000	\$ 681,725	66741/392	84/34/14	10,819	\$ 63.01	public/ public	Yes	SR2
		29-Jan-16						Irving Bluestein Kane Built Inc		
63	259 Cherry Street	\$ 625,000	\$ 687,479	66477/423	33/36/14	10,565	\$ 65.07	public/ public	Yes	SR3
		4-Dec-15						John Umhina M7 Realty LLC		
64	79 Crescent Street	\$ 620,000	\$ 657,412	67732/193	43/2/8	7,843	\$ 83.82	public/ public	Yes	MR1
		1-Aug-16						Richard J. Mazzola Jyat Construction LLC		
65	46 Dearborn Street	\$ 612,000	\$ 662,212	66967/82	33/37/7	10,590	\$ 62.53	public/ public	Yes	SR3
		22-Mar-16						Hoffman FT 46 Dearborn Street LLC		
66	56 Wiswall Road	\$ 610,000	\$ 626,950	65899/61	84/30/3	10,240	\$ 61.23	public/ public	Yes	SR2
		15-Feb-17						Tobyanne Suyemoto LT SZ Realty LLC		
67	115 Manchester Road	\$ 600,000	\$ 643,505	67277/137	54/28/15	5,960	\$ 107.97	public/ public	Yes	SR2
		19-May-16						Steiger Frank M. est Olus Development LLC		
68	50 Wiswall Road	\$ 600,000	\$ 686,419	65036/475	84/30/4	10,470	\$ 65.56	public/ public	Yes	SR2
		11-Mar-15						Robert Cohen IRT SZ Realty LLC		
69	18 Caldon Path	\$ 575,000	\$ 610,831	67653/528	84/17/4	8,100	\$ 75.41	public/ public	Yes	SR3
		20-Jul-16						JFG RET Sterling Construction & Development		
70	45 Colgate Road	\$ 568,500	\$ 634,024	66021/461	42/32/54	7,760	\$ 81.70	public/ public	Yes	SR3
		2-Sep-15						Edith New mark Sweet World LLC		
71	42 Evergreen Avenue	\$ 550,000	\$ 604,982	1100/42	41/4/15	16,577	\$ 36.50	public/ public	Yes	SR3
		4-Dec-15						Jeffrey Dononvan M7 Realty LLC		
72	35 McCarthy Road	\$ 532,000	\$ 608,187	65059/552	84/28/21	8,125	\$ 74.85	public/ public	Yes	SR3
		16-Mar-15						Savage Phillip N est 35 McCarthy Road LLC		
73	303 Tremont Street	\$ 500,000	\$ 535,679	67319/429	71/36/20	5,080	\$ 105.45	public/ public	Yes	MR2
		26-May-16						I S Murphy NT Kane Built Inc		
74	35 Jerome Avenue	\$ 500,000	\$ 553,190	66281/379	34/39/17	5,281	\$ 104.75	public/ public	Yes	SR3
		26-Oct-15						US Bank NA Tr Jerome Development Ptnrs		
75	25 Fordham Road	\$ 485,000	\$ 489,386	69408/566	34/21/18	10,750	\$ 45.52	public/ public	Yes	SR3
		9-Jun-17						Mary E. Stoglich Erano Building & Property		

1,433,109

SUMMARY

83,493,643

Average \$/Sq Ft	All Lots	\$	76.71
Average \$/Sq Ft	SR1 Lots	\$	57.93
Average Sq Ft Per SR1 Lot			37,334
Average Sq Ft Per All Lots			19,108
Average \$/Per SR1 Lot		\$	1,198,662

ROAD CONSTRUCTION COSTS

<u>Town</u>	<u>Project</u>	<u>Road(lf)</u>	<u>Road</u>		<u>Date</u>	<u>Comments</u>
			<u>Cost</u>	<u>Price/LF</u>		
Lexington	Cedar Street Subdivision	626	\$1,030,590	\$1,646.31	2017	10 lots; 22' w ide pavement, all underground utilities; granite curbing for entire roadw ay; 4' sidew alk on 1 side. Gentle slopes, no ledge. Amount includes razing of 3 older dw ellings. Some w etlands to rear. Extensive drainage correction measures needed.
Wellesley	Fieldstone Way	500	\$350,000	\$700.00	2017	12 lots; 22' w ide pavement; all underground utilities; granite curbing for entire roadw ay; 4' sidew alk on 1 side. Gentle slopes, no ledge. Amount includes razing of tw o older dw ellings.
Northbridge	Presidential Farms V	750	\$1,000,000	\$1,333.33	2017	Cul de sac roadw ay for 14 lots. All utilities including w ater/sew er/gas below ground; granite curbing. Slopes up. Ledge blasting is cause of high costs.
Boxborough	Silas Taylor Farne Road	1,508	\$697,649	\$462.63	2016	11 lot, 30.61 acre conventional subdivision. 22' w ide pavement, asphalt curbing, private w ell & septic, cistern required. Sloping site.
Plymouth	Pine Hills OSMUD	477	\$201,960	\$423.40	2016	14 lots; 4.37 acres; 28' w ide road; private w ells and septic; asphalt curbing.
Westminster	Westminster Estates	3,600	\$1,500,000	\$416.67	2016	Phase I of an 88.27 acre, 126 lot cluster subdivision. Private w ell & septic, 26' w ide pavement w idth, asphalt curbing.
Hanover	Stable Ridge	1,384	\$827,630	\$598.00	2015	14 lot cul de sac roadw ay required. 28' w ide pavement; granite curbing; municipal w ater, individual septic. Level land.
Wilmington	North Wilmington Estates	2,358	\$1,184,259	\$502.20	2014	26 lots; municipal w ater; private septic systems; 63.95 acres; 26' w ide pavement; 5' w ide sidew alk on one side; granite curbing; moderate slopes in topo.
Boylston	Barnard Hill	6,773	\$3,787,000	\$559.10	2014	46 lot development. Not yet constructed. High costs due to required bridge over w etlands and extensive grading. Public w ater, private septic. Not yet started.
Hudson	Olde North Estates	1,480	\$580,000	\$391.89	2014	19 lots. public w ater/sew er.
Middleton	East Meadow Farm	2,615	\$1,176,750	\$450.00	2013	17 lots. public w ater/private sew er. asphalt curbing, sidew alk 1 side.
Marshfield	Cranberry Cove	1,400	\$670,543	\$478.96	2013	13 lots. public w ater/private sew er.
Holden	Stanhope Estates	506	\$300,770	\$594.41	2011	6 lots. Hilly location; public w ater/sew er.
Leominster	Sheldon Hill	1,705	\$573,472	\$336.35	2010	23 lot development; 22' w ide pavement. Asphalt curbing; septic, muni w ater. ground, 24' w ide pavement, steep slps. below grnd utils, asphalt curbs, septic.

RESIDENTIAL SUBDIVISION VALUATION

SUBDIVISION DEVELOPMENT ANALYSIS

Subject Property

300 Hammond Pond Parkway
 Newton, MA
 21.75 acres of SR1 Zoned Land

Residential Development Scenario

Assumes No Deed Restriction in Place
 28 Potential Lots/3,000 linear feet of roadway

Development Presumptions/Expenses

Date of Valuation 3-Aug-17
 Average Lot Price \$1,900,000
 Annual Price Change 4.0%
 Annual Cost Change 3.0%
 Real Estate Taxes (during sellout) \$1,241,584
 Legal - Closing Cost per lot \$4.56/\$1000+\$1000 per lot
 Assumed Tax per lot \$9,681 (Begin Y2)
 Advertising, brokerage 5%
 Discount Rate 30%
 (includes overhead and developers profit, time cost of money, risk)

		YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	YEAR 6	YEAR 7	TOTALS
Number of Lots to Be Sold	28	0	0	6	6	6	6	4	
		28	28	22	16	10	4	0	
		\$ -	\$ -	\$12,330,240	\$12,823,450	\$13,336,388	\$13,869,843	\$9,616,425	\$61,976,345
INCOME									
Proceeds from Lot Sales		\$ 140,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 140,000
EXPENSES									
Engineering/Permitting/Approvals	@ \$5,000 per lot	\$ -	\$ -	\$ 2,387,025	\$ 1,475,181	\$ 506,479	\$ 521,673	\$ -	\$ 4,890,359
Road Installation (3000 lf)	@ \$1,500 per ft	\$ -	\$ -	\$ 62,226	\$ 64,475	\$ 66,814	\$ 69,246	\$ 47,851	\$ 310,612
Legal Expense/Closing Costs	\$4.56/\$1000+\$1000	\$ 296,866	\$ 305,772	\$ 242,025	\$ 183,939	\$ 125,853	\$ 67,767	\$ 19,362	\$ 1,241,584
Real Estate Taxes During Sellout	@ 5% of sales proceeds	\$ -	\$ -	\$ 616,512	\$ 641,172	\$ 666,819	\$ 693,492	\$ 480,821	\$ 3,098,817
Advertising, brokerage		\$ 436,866	\$ 305,772	\$ 3,307,788	\$ 2,364,768	\$ 1,365,965	\$ 1,352,179	\$ 548,034	\$ 9,681,372
Total Expenses		\$ (436,866)	\$ (305,772)	\$ 9,022,452	\$10,458,682	\$11,970,422	\$12,517,664	\$9,068,390	\$52,294,972
Net Development Proceeds									
PRESENT WORTH OF NET PROCEEDS	\$14,514,150 Rounded to								\$14,500,000

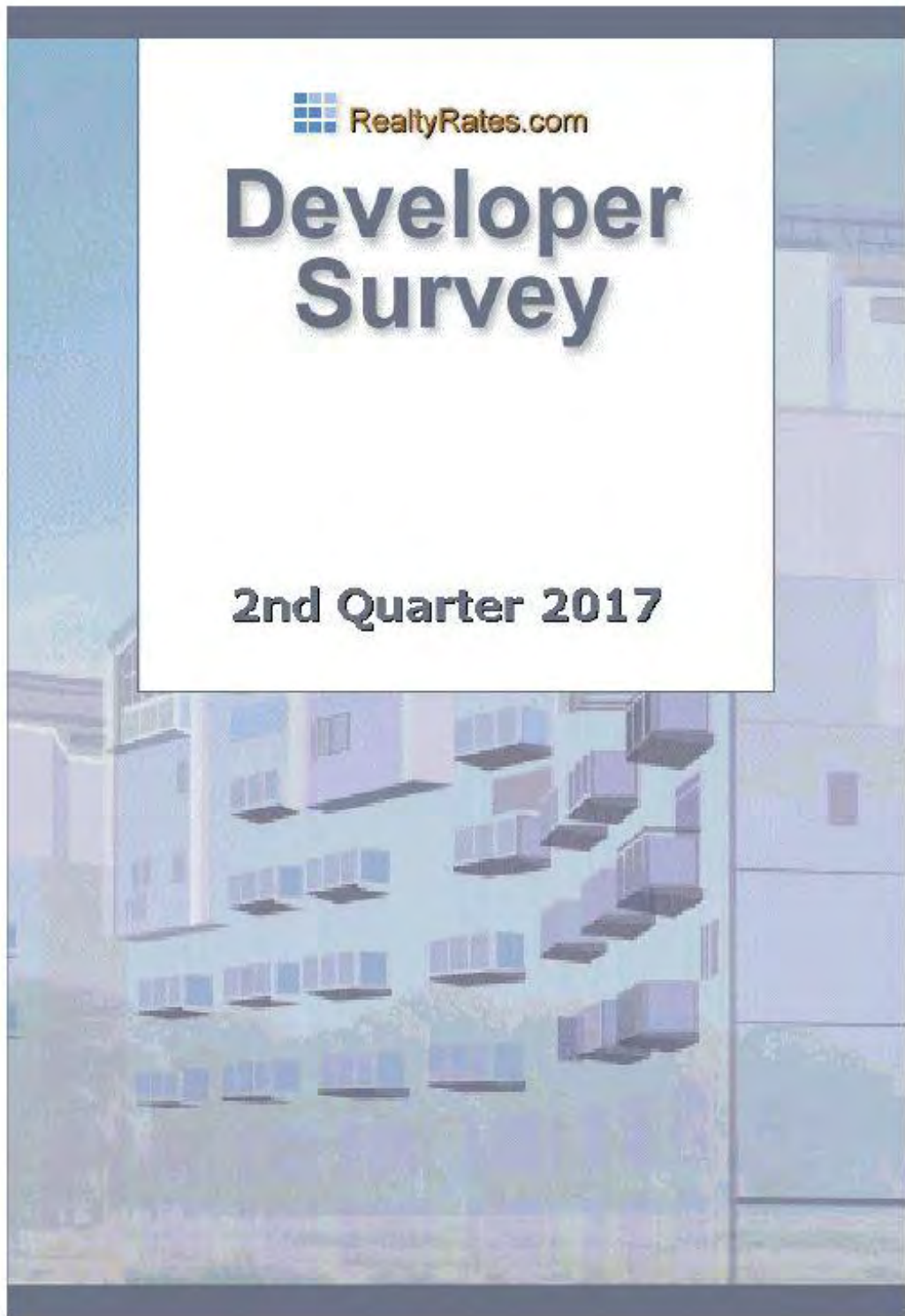
DEVELOPER SURVEY EXCERPTS


The logo for RealtyRates.com, featuring a blue grid icon to the left of the text "RealtyRates.com" in a brown, sans-serif font.

RealtyRates.com

Developer Survey

2nd Quarter 2017





RealtyRates.com - Developer Survey TM

Welcome to the 2nd Quarter, 2017 edition (1st Quarter 2017 data) of the RealtyRates.comTM *Developer Survey*.

The *Developer Survey* tracks actual and pro-forma discount rates on 22 sell-out property types including residential subdivisions and PUDs, business and industrial parks, and residential and commercial/industrial condominiums and co-ops. The data is presented on both a national and regional basis and covers all 50 states as well as Puerto Rico, Guam and the U.S. Virgin Islands.

The *Developer Survey* represents a polling of 366 commercial appraisers (8%), lenders (26%), and local, regional and national developers (66%). The bulk of the data is comprised of individual tables for each region that include surveyed actual (historical) and pro-forma (forward looking) minimum, maximum and average discount rates for each property type. In the case of subdivisions and PUDs, rates incorporate developer's profit, while condominium and co-op rates do not.

RealtyRates.comTM is the Trade Name and a Trademark of Robt. G. Watts (RGW). Founded in Honolulu, Hawaii as Pacific Research Company and now headquartered in Bradenton, Florida, RGW has provided professional analytical, advisory and development management services to investors, property owners, major corporations, lenders and government agencies worldwide since 1973.

We hope you find the *Developer Survey* useful and informative.



Robert Watts



Market Commentary

RealtyRates.com™ Developer Survey Reports Decreased Discount Rates For Most Sell-Out Property Types During 1st Quarter 2017

Prices continued their upward trend while inventories remained relatively low, and decreases in average discount rates for most sell-out property types were reported during the 1st Quarter of 2017.

Site-Built Residential Subdivision and PUD rates decreased an average 53 basis points but Manufactured Housing rates were up 13 basis points during the 1st Quarter. Business and Industrial Park rates decreased an average 86 basis points during the same period. Residential Condominium and Co-Op rates meanwhile were down 10 basis points while Commercial/Industrial Condominiums dropped 12 basis points.

Overall, pro-forma and actual discount rates moved largely in tandem, indicating a market consistent outlook by developers.

RealtyRates.com DEVELOPER SURVEY - 2nd Quarter 2017*						
Average Comparative (Quarter-Over-Quarter) National Rates						
Subdivisions & PUDs	Actual Rates			Pro-Forma Rates		
	1Q17	4Q16	Basis Point Change	1Q17	4Q16	Basis Point Change
	Site-Built Residential	32.59%	33.13%	-54	31.26%	31.81%
-100 Units	29.04%	29.50%	-46	27.88%	28.32%	-44
100-500 Units	31.43%	31.94%	-51	30.77%	31.27%	-50
500+ Units	32.71%	33.25%	-53	32.85%	33.39%	-53
Mixed Use	33.10%	33.64%	-54	33.04%	33.58%	-54
Manufactured Housing	35.14%	35.00%	13	33.07%	32.95%	12
-100 Units	31.48%	31.35%	13	29.63%	29.51%	12
100-500 Units	34.09%	33.96%	13	32.73%	32.60%	13
500+ Units	35.49%	35.35%	14	34.74%	34.60%	13
Business Parks	33.15%	33.99%	-84	31.2%	31.99%	-79
-100 Acres	29.75%	30.47%	-72	28.0%	28.68%	-67
100-500 Acres	32.20%	32.99%	-79	30.9%	31.67%	-75
500+ Acres	33.51%	34.34%	-81	32.80%	33.61%	-81
Industrial Parks	29.45%	30.36%	-91	29.30%	30.21%	-91
-100 Acres	26.53%	27.32%	-79	25.32%	25.77%	-75
100-500 Acres	28.65%	29.53%	-87	27.56%	28.40%	-84
500+ Acres	29.80%	30.72%	-91	29.1%	29.97%	-85
Condominiums & Co-Ops						
	Actual Rates			Pro-Forma Rates		
	1Q17	4Q16	Basis Point Change	1Q17	4Q16	Basis Point Change
	Primary Residential	15.04%	15.14%	-10	15.3%	15.41%
Hi-Rise/Urban Townhouse	13.36%	13.46%	-10	13.58%	13.68%	-10
Garden/Suburban Townhouse	16.69%	16.77%	-14	17.39%	17.02%	-13
Mixed Use	18.61%	18.72%	-11	18.63%	18.73%	-11
Resort & Second Home	21.36%	21.46%	-10	20.10%	20.20%	-10
Hi-Rise	21.00%	21.10%	-10	20.16%	20.26%	-10
Garden/Townhouse	19.19%	19.29%	-10	18.42%	18.52%	-10
Commercial/Industrial	19.24%	19.35%	-12	18.25%	18.40%	-11
Urban Office	17.68%	17.87%	-19	16.8%	16.99%	-18
Suburban Office	17.45%	17.63%	-24	16.56%	16.62%	-23
Retail	18.56%	18.68%	-12	18.80%	18.71%	-11
Industrial	17.78%	18.02%	-24	16.9%	17.13%	-22

*1st Quarter 2017 Data

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National Sell-Out Property Discount Rates

Subdivisions and PUDs

The following summarizes discount rates for conventionally financed (interest-only interim or construction financing) subdivisions and planned unit developments (PUDs) nationwide. Actual Rates are historical rates achieved by survey respondents, while Pro-Forma Rates reflect forward-looking revenue and expenses. Developer's profit is not treated as a line item expense.

RealtyRates.com DEVELOPER SURVEY - 2nd Quarter 2017*						
National - Subdivisions & PUDs						
	Actual Rates			Pro-Forma Rates		
	Min	Max	Avg	Min	Max	Avg
Site-Built Residential	13.57%	51.23%	32.59%	13.03%	49.24%	31.29%
-100 Units	13.57%	44.21%	29.04%	13.03%	42.45%	27.99%
100-500 Units	13.91%	48.64%	31.43%	13.35%	46.69%	30.77%
500+ Units	14.25%	50.85%	32.71%	13.68%	48.81%	32.65%
Mixed Use	14.59%	51.29%	33.10%	14.01%	49.24%	33.04%
Manufactured Housing	13.84%	54.71%	35.44%	13.25%	52.53%	33.07%
-100 Units	13.84%	47.58%	31.48%	13.25%	45.67%	29.63%
100-500 Units	14.19%	52.31%	34.09%	13.62%	50.24%	32.73%
500+ Units	14.54%	54.71%	35.49%	13.95%	52.53%	34.74%
Business Parks	13.84%	50.85%	33.5%	13.25%	48.81%	31.21%
-100 Acres	13.84%	44.21%	29.75%	13.25%	42.45%	28.01%
100-500 Acres	14.19%	49.61%	32.20%	13.62%	46.69%	30.91%
500+ Acres	14.54%	50.85%	33.51%	13.95%	48.81%	32.80%
Industrial Parks	13.78%	43.63%	29.45%	13.23%	41.94%	28.33%
-100 Acres	13.78%	37.99%	26.69%	13.23%	36.47%	25.02%
100-500 Acres	14.13%	41.73%	28.65%	13.56%	40.11%	27.56%
500+ Acres	14.47%	43.63%	29.80%	13.89%	41.94%	28.11%

*2nd Quarter 2017 Data

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Condominiums and Co-Ops

The following summarizes discount rates for conventionally financed condominium and co-op projects nationwide. Actual Rates are historical rates achieved by survey respondents, while Pro-Forma Rates reflect forward-looking revenue and expenses and developer's profit is treated as a line item expense.

RealtyRates.com DEVELOPER SURVEY - 2nd Quarter 2017*						
National - Condominiums & Co-Ops						
	Actual Rates			Pro-Forma Rates		
	Min	Max	Avg	Min	Max	Avg
Primary Residential	9.14%	28.74%	19.04%	8.78%	27.59%	18.31%
Hi-Rise/Urban Townhouse	9.78%	28.74%	19.36%	9.39%	27.59%	18.59%
Garden/Suburban Townhouse	9.14%	27.22%	18.63%	8.78%	26.19%	17.89%
Mixed Use	9.53%	28.63%	19.61%	8.86%	27.44%	18.63%
Resort & Second Home	10.44%	31.23%	21.36%	10.03%	29.98%	20.10%
Hi-Rise	10.56%	31.23%	21.00%	10.14%	29.98%	20.16%
Garden/Townhouse	10.14%	27.00%	19.39%	10.03%	25.92%	18.42%
Commercial/Industrial	7.75%	29.42%	18.24%	7.44%	28.24%	18.25%
Urban Office	8.57%	26.18%	17.68%	8.32%	25.13%	16.81%
Suburban Office	7.38%	25.81%	17.46%	7.56%	24.91%	16.59%
Retail	9.36%	29.42%	19.56%	8.95%	28.24%	18.60%
Industrial	7.75%	26.61%	17.78%	7.44%	25.55%	16.91%

*2nd Quarter 2017 Data

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Financial Indicators

Relevant financial indicators, many of which are utilized as indices for the pricing of various mortgage products, are summarized on the following table.

RealtyRates.com™ - Investor & Developer Surveys					
FINANCIAL INDICES					
	Feb '17	Nov '16	Quarterly Change (BP)	Feb '16	Yearly Change (BP)
Prime Rate					
	4.00%	3.50%	50	3.50%	50
LIBOR					
1-Month	0.78%	0.56%	22	0.43%	35
3-Month	1.04%	0.91%	13	0.62%	42
6-Month	1.35%	1.22%	13	0.67%	48
1-Year	1.72%	1.60%	12	1.14%	58
Treasury Yield (Constant Maturity)					
3-Month	0.52%	0.49%	3	0.32%	20
6-Month	0.57%	0.62%	5	0.46%	21
1-Year	0.82%	0.79%	3	0.52%	30
2-Year	1.19%	1.10%	9	0.74%	45
3-Year	1.45%	1.38%	7	0.93%	52
5-Year	1.88%	1.81%	7	1.29%	59
7-Year	2.20%	2.15%	5	1.52%	68
10-Year	2.39%	2.34%	5	1.75%	64
20-Year	2.75%	2.70%	5	2.17%	58
30-Year	3.01%	3.01%	0	2.61%	40
Conventional Fixed Rate Home Mortgage					
30-Year	4.27%	3.66%	61	3.88%	39

Sources: U. S. Federal Reserve and British Bankers' Association

New England - CT, MA, ME, NH, RI, VT

RealtyRates.com DEVELOPER SURVEY - 2nd Quarter 2017*						
New England - Subdivisions & PODs						
	Actual Rates			Pro-Forma Rates		
	Min	Max	Avg	Min	Max	Avg
Site-Built Residential	17.98%	42.34%	27.95%	15.78%	36.06%	24.03%
-100 Units	17.98%	36.60%	26.70%	15.78%	32.72%	23.76%
100-500 Units	18.40%	40.15%	28.12%	15.83%	35.24%	24.51%
500+ Units	18.88%	41.98%	28.60%	15.87%	36.06%	24.40%
Mixed Use	19.30%	42.34%	28.37%	16.24%	35.68%	23.94%
Manufactured Housing	18.34%	45.17%	29.43%	16.15%	38.88%	25.67%
-100 Units	18.34%	39.28%	28.24%	16.27%	35.21%	25.22%
100-500 Units	18.80%	43.21%	29.76%	16.15%	37.92%	25.95%
500+ Units	19.26%	45.17%	30.28%	16.16%	38.68%	25.64%
Business Parks	18.34%	41.98%	27.59%	16.10%	36.06%	24.38%
-100 Acres	18.34%	36.50%	26.87%	16.10%	32.72%	23.92%
100-500 Acres	18.80%	40.15%	28.30%	16.15%	35.24%	24.67%
500+ Acres	19.26%	41.98%	28.78%	16.16%	36.06%	24.55%
Industrial Parks	18.26%	36.07%	25.27%	16.03%	30.98%	22.00%
-100 Acres	18.26%	31.36%	24.32%	16.03%	28.11%	21.63%
100-500 Acres	18.72%	34.50%	25.54%	16.06%	30.28%	22.25%
500+ Acres	19.17%	36.07%	25.96%	16.11%	30.98%	22.33%

*1st Quarter 2017 Data

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RealtyRates.com DEVELOPER SURVEY - 2nd Quarter 2017*						
New England - Condominiums & Co-Ops						
	Actual Rates			Pro-Forma Rates		
	Min	Max	Avg	Min	Max	Avg
Primary Residential	12.12%	23.73%	17.35%	10.47%	22.69%	16.69%
-Hi-Rise/Urban Townhouse	12.97%	23.73%	17.98%	11.14%	21.26%	16.88%
-Garden/Suburban Townhouse	12.12%	22.47%	16.60%	10.47%	20.11%	14.66%
Mixed Use	12.77%	23.63%	17.47%	11.74%	22.69%	16.53%
Resort & Second Home	13.84%	25.78%	18.42%	11.85%	23.11%	16.25%
-Hi-Rise	13.98%	25.73%	19.49%	12.02%	23.11%	17.21%
-Garden/Townhouse	13.84%	22.23%	17.34%	11.85%	19.98%	15.00%
Commercial/Industrial	10.27%	24.23%	15.58%	8.33%	21.77%	14.33%
-Urban Office	11.48%	21.61%	16.22%	9.86%	19.37%	14.32%
-Suburban Office	10.44%	21.33%	15.25%	8.97%	19.12%	13.48%
-Retail	11.11%	24.23%	16.39%	9.54%	21.77%	15.03%
-Industrial	10.27%	21.97%	15.48%	8.33%	19.69%	13.69%

*1st Quarter 2017 Data

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**APPRAISAL LEXICON
&
ASSUMPTIONS, LIMITING CONDITIONS**

APPRAISAL LEXICON

MARKET VALUE

"The most probable price, which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is consummation of a sale as of a specified date and passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are motivated;
 2. Both parties are well informed or well advised and each acting in what he considers his own best interest;
 3. A reasonable time is allowed for exposure in the open market;
 4. Payment is made in terms of cash in U.S. dollars, or in terms of financial arrangements comparable thereto; and
 5. The price represents the normal consideration for the property sold unaffected by special or creative financing, or sales concessions granted by anyone associated with the sale."
- (1)

FEE SIMPLE ESTATE

Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power and escheat. (2)

HIGHEST AND BEST USE

The reasonably probable use of property that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility and maximum productivity. (3)

LEASED FEE INTEREST

The ownership interest held by the lessor, which includes the right to receive the contract rent specified in the lease plus the reversionary right when the lease expires. (4)

MARKETING TIME

An opinion of the amount of time it might take to sell a real or personal property interest at the concluded market value level during the period immediately after the effective date of an appraisal. Marketing time differs from exposure time, which is always presumed to precede the effective date of an appraisal. (5)

(1) FIRREA 12 CFR Part 323.2.

(2) The Dictionary of Real Estate Appraisal, Appraisal Institute, Chicago, IL, 2015, Sixth Edition - Page 90.

(3) Ibid. - 109.

(4) Ibid. - 128.

(5) Ibid. - 140.

MARKET RENT

The most probable rent that a property should bring in a competitive and open market reflecting the conditions and restrictions of a specified lease agreement, including the rental adjustment and revaluation, permitted uses, use restrictions, expense obligations, term, concessions, renewal and purchase options, and tenant improvements (TIs). (6)

EXPOSURE TIME

1. The time a property remains on the market.
2. [The] estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal. Exposure time is a retrospective opinion based on an analysis of past events assuming a competitive and open market. (USPAP, 2016-2017 ed.) (7)

PROSPECTIVE OPINION OF VALUE

A value opinion effective as of a specified future date. The term does not define a type of value. Instead, it identifies a value opinion as being effective at some specific future date. An opinion of value as of a prospective date is frequently sought in connection with projects that are proposed, under construction, or under conversion to a new use, or those that have not yet achieved sellout or a stabilized level of long-term occupancy. (8)

RETROSPECTIVE VALUE OPINION

A value opinion effective as of a specified historical date. The term *retrospective* does not define a type of value. Instead, it identifies a value opinion as being effective at some specific prior date. Value as of a historical date is frequently sought in connection with property tax appeals, damage models, lease renegotiation, deficiency judgments, estate tax, and condemnation. Inclusion of the type of value with this term is appropriate, e.g., “retrospective market value opinion.” (9)

(6) Ibid. - 140.

(7) Ibid. - 83.

(8) Ibid. - 180.

(9) Ibid. - 201.

ASSUMPTIONS AND LIMITING CONDITIONS

This appraisal report has been made with the following general assumptions:

1. This is a narrative Appraisal Report which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice for an Appraisal Report. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's file. The information contained in this report is specific to the needs of the client and for the intended use stated in this report. The appraisers are not responsible for the unauthorized use of this report.
2. No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.
3. The property is appraised free and clear of any or all liens or encumbrances unless otherwise stated.
4. Responsible ownership and competent property management are assumed.
5. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
6. All engineering is assumed to be correct. The plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
7. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
8. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report.
9. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined, and considered in the appraisal report.

10. It is assumed that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
11. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in the report.

This appraisal report has been made with the following general limiting conditions:

1. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocation of land and building must not be used in conjunction with any other appraisal and are invalid if used.
2. Possession of this report, or a copy thereof, does not carry with it the right of publication.
3. The appraiser, by reason of this appraisal, is not required to give further consultation, testimony, or be attendance in court with reference to the property in question unless arrangements have been previously made.
4. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the appraiser.
5. Any value estimates provided in the report apply to the entire property, and any proration or division of the total into fractional interests will invalidate the value estimate, unless such proration or division of interests has been set forth in the report.
6. The forecasts, projections, or operating estimates contained herein are based upon current market conditions, anticipated short-term supply and demand factors, and a continued stable economy. These forecasts are, therefore, subject to changes in future conditions.

QUALIFICATIONS

<p style="text-align: center;">QUALIFICATIONS OF CHRISTOPHER H. BOWLER REAL ESTATE APPRAISER AND CONSULTANT</p>

EDUCATION

- BA Economics, Union College, Schenectady, New York 1987

- Appraisal Institute
 - Course SPP Standards of Professional Practice
 - Course 1A-1 Basic Appraisal Principles, Methods and Techniques
 - Course 1A-2 Basic Valuation Theory and Techniques
 - Course 8-1 Residential Valuation
 - Course 1B-A Capitalization Theory & Techniques Part A
 - Course 1B-B Capitalization Theory & Techniques Part B
 - Course 550 Advanced Applications
 - Course 410 Standards of Professional Practice Part A
 - Course 420 Standards of Professional Practice Part B
 - Course 540 Report Writing & Valuation Analysis

- Argus Software
 - Valuation DCF 2 Day Training; 11/09

PROFESSIONAL AND TRADE AFFILIATIONS

- The Counselors of Real Estate
 - 2015 CRE Designation #13359

- Appraisal Institute
 - 1992 Senior Residential Appraiser - SRA Designation
 - 2000 Member of Appraisal Institute - MAI Designation #11564
 - 2002-4 Director, Massachusetts Chapter
 - 2005 Secretary, Massachusetts Chapter
 - 2006 Treasurer, Massachusetts Chapter
 - 2007 Vice President, Massachusetts Chapter
 - 2008 President, Massachusetts Chapter

- Massachusetts Certified General Real Estate Appraiser License #495

PROFESSIONAL EXPERIENCE

Qualified expert witness; Land Court of Massachusetts.
Qualified expert witness; Massachusetts Appellate Tax Board.

BUSINESS EXPERIENCE

Presently the Senior Associate and Chief Valuation Officer of Avery Associates, Acton, Massachusetts. Avery Associates handles a wide variety of real estate appraisal and consulting assignments. Mr. Bowler has prepared appraisals of apartment complexes, office buildings, industrial buildings, shopping centers, research and development facilities, hotels/motels, golf courses, restaurants, laboratory-life sciences buildings, medical office buildings, auto dealerships, truck terminals, warehouses, bank branches, commercial and industrial condominium units and buildings, lumber yards, service stations, industrial mill buildings, and cranberry bogs.

Mr. Bowler's experience also includes the appraisal of large tracts of land, conservation restrictions, proposed developments; condominium projects, mixed use retail and residential, and traditional single family subdivisions. Mr. Bowler has prepared market studies and feasibility analyses for proposed developments of both residential and commercial projects. Prior to joining Avery Associates in 1992, Mr. Bowler was employed in the following manner:

- 1987-1992 Real Estate Appraiser
 Edward W. Bowler Associates
 Waltham, Massachusetts
- 1987 Research Associate, New York State Department of Transportation
 Albany, New York

BUSINESS ADDRESS

Avery Associates
282 Central Street
Post Office Box 834
Acton, MA 01720-0834
Tel: 978-263-5002
Fax: 978-635-9435
chris@averyandassociates.com

QUALIFICATIONS OF JONATHAN H. AVERY REAL ESTATE APPRAISER AND CONSULTANT

EDUCATION

BBA University of Massachusetts, Amherst, Massachusetts

Graduate of Realtors Institute of Massachusetts - GRI

American Institute of Real Estate Appraisers

Course 1-A Basic Appraisal Principles, Methods and Techniques

Course 1A-B Capitalization Theory and Techniques

Course 2 Basic Appraisal of Urban Properties

Course 6 Real Estate Investment Analysis

Course 410/420 Standards of Professional Practice

PROFESSIONAL AND TRADE AFFILIATIONS

The Counselors of Real Estate

1985 - CRE Designation #999

1993 - Chairman, New England Chapter

1995 - National Vice President

1999 - National President

Appraisal Institute

1982 - Member Appraisal Institute - MAI Designation #6162

1975 - Residential Member - RM Designation #872

1977 - Senior Residential Appraiser - SRA Designation

1981 - Senior Real Property Appraiser - SRPA Designation

1986-1987 - President, Eastern Massachusetts Chapter

1992 - President, Greater Boston Chapter

1995 - Chair, Appraisal Standards Council

1996-1998 - Vice Chair, Appraisal Standards Council

Massachusetts Board of Real Estate Appraisers

1972 - MRA Designation

1981 - President of the Board

Royal Institution of Chartered Surveyors

2005 - FRICS Designation

Affiliate Member, Greater Boston Real Estate Board

Licensed Real Estate Broker - Massachusetts 1969

Massachusetts Certified General Real Estate Appraiser #26

New Hampshire Certified General Real Estate Appraiser #NHGC-241

BUSINESS EXPERIENCE

Mr. Avery is Principal of the firm of Avery Associates located in Acton, Massachusetts. Avery Associates is involved in a variety of real estate appraisal and consulting activities including: market value estimates, marketability studies, feasibility studies, and general advice and guidance on real estate matters to public, private and corporate clients. Mr. Avery has served as arbitrator and counselor in a variety of proceedings and negotiations involving real estate. During 1993, he served as an appraisal consultant for the Eastern European Real Property Foundation in Poland. He has been actively engaged in the real estate business since 1967 and established Avery Associates in 1979. Prior to his present affiliation, Mr. Avery served in the following capacities:

1978-1979 Managing Partner, Avery and Tetreault,
Real Estate Appraisers and Consultants
1975 -1978 Chief Appraiser, Home Federal Savings and Loan Association
Worcester, Massachusetts
1972-1975 Staff Appraiser, Northeast Federal Saving and Loan Association
Watertown, Massachusetts
1971-1972 Real Estate Broker, A. H. Tetreault, Inc.
Lincoln, Massachusetts

TEACHING EXPERIENCE

Instructor, Bentley College, Continuing Education Division, 1976-1982;
Appraisal Methods and Techniques
Computer Applications for Real Estate Appraisal
Approved Instructor Appraisal Institute - since 1982
Chapter Education Chairman 1986-1987
Seminar Instructor; Massachusetts Board of Real Estate Appraisers since 1981
Certified Appraisal Standards Instructor-Appraiser Qualifications Board

PROFESSIONAL EXPERIENCE

Qualified expert witness; Middlesex County District Court and Superior Court, Essex County Superior Court, Norfolk County Superior Court, Plymouth Superior Court, Worcester County Probate Court, Federal Tax Court, Federal Bankruptcy Court, Appellate Tax Board of Massachusetts and Land Court of Massachusetts. Member, Panel of Arbitrators - American Arbitration Association, National Association of Securities Dealers Regulation.

Property Assignments Include:

Land (Single Lots and Subdivisions)	Historic Renovations
One to Four Family Dwellings	Movie Theater
Apartments	Conservation Easements
Residential Condominiums	Hotels and Motels
Office Buildings	Shopping Centers
Restaurants	Golf Courses
Industrial Buildings	Churches
Racquet Club	Gasoline Service Stations
Petroleum Fuel Storage Facility	Farms
Lumber Yard	Office Condominiums
School Buildings	Automobile Dealerships

BUSINESS ADDRESS

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282 Central Street
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Acton, MA 01720-0834
Tel: 978-263-5002
Fax: 978-635-9435
jon@averyandassociates.com

AVERY ASSOCIATES
REPRESENTATIVE LIST OF CLIENTS

FINANCIAL INSTITUTIONS

Avidia Bank
Bank of New England
Belmont Savings Bank
Berkshire Bank
Cambridge Savings Bank
East Boston Savings Bank
Enterprise Bank & Trust
First Pioneer Farm Credit
Marlborough Savings Bank
Middlesex Federal Savings
Middlesex Savings Bank
North Middlesex Savings Bank
North Shore Bank
Rollstone Bank & Trust
Salem Five Cent Savings Bank
Seneca Insurance Co.
TD Bank, N.A.
Webster Five Cents Savings Bank
Workers Credit Union

PUBLIC SECTOR/NONPROFIT

American Arbitration Association
Church of Latter Day Saints
City of Marlborough
Emerson Hospital
Essex County Greenbelt Association
Internal Revenue Service
Mass Audubon
Mass. Dept. of Conservation/Recreation
Massachusetts Dept. of Agricultural Resources
MassDevelopment
MassHousing
Sudbury Valley Trustees
The Nature Conservancy
The Trust for Public Land
Town of Acton
Town of Concord
Town of Lexington
Trustees of Reservations
U. S. Department of Interior
U.S. Department of Justice
U.S. Forest Service
Walden Woods Project
Water Supply District of Acton

CORPORATIONS

Avalon Bay Communities
Boston Medflight
Concord Lumber Corporation
Dow Chemical Company
Exxon Mobil Company
Fidelity Real Estate
Genzyme/Sanofi
John M. Corcoran & Co.
Marvin F. Poer and Company
McDonald's Corporation
Minuteman Airfield, Inc.
PriceWaterhouseCoopers
Sun Life Assurance Company
The Mathworks, Inc.
Toyota Financial Services
U.S. Postal Service
W. J. Graves Construction Co., Inc.
Zoll Medical Corp.

LAW FIRMS & FIDUCIARIES

Anderson & Kreiger LLP
Choate, Hall & Stewart
DLA Piper, LLP
Edwards, Angel, Palmer & Dodge
Foley Hoag, LLP
Goodwin Procter
Hemenway & Barnes
Holland & Knight
Kates and Barlow
Kirkpatrick Lockhart Nicholson Graham
Kopelman & Paige, P.C.
Lee, Rivers & Corr, LLP
Lynch, Brewer, Hoffman & Fink, LLP
Nutter, McClennen & Fish, LLP
Office of Stephen Small
Peabody & Arnold, LLP
Prince, Lobel, Glovsky & Tye
Rackemann, Sawyer & Brewster
Riemer & Braunstein, LLP
Ropes & Gray
Sally & Fitch
Stern, Shapiro, Weissberg & Garin
Wilmer Hale