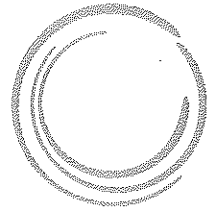


3225 MAIN STREET • P.O. BOX 226
BARNSTABLE, MASSACHUSETTS 02630



CAPE COD
COMMISSION

(508) 362-3828 • Fax (508) 362-3136 • www.capecodcommission.org

Date: June 14, 2011

To: Mashpee Commons, Limited Partnership
P.O. Box 1530
Mashpee, MA 02649

From: Cape Cod Commission

Re: Development of Regional Impact – Minor Modification #1
Section 23 of the Cape Cod Commission Act

Project Applicant: Mashpee Commons, Limited Partnership

Property Owner: Mashpee Commons, Limited Partnership

Project: Jobs-Whiting Neighborhood Master Plan
Off Route 28 and Jobs Fishing Road

Project #: TR98049

CERTIFICATE #: 121818 (Land Court Plan No. 34844B, Lots 5 and 6) and
135965 (Land Court Plan No. 34844A, Lot 1)

BOOK/PAGE: Book 7408 Page 56 (Lot 16 on Plan Book 417 Page 54)
Book 5798 Page 94 (Lot 19 Plan Book 432 Page 64)
Book 5410 Page 119 and Book 5798 Page 94 (Lot 20 Plan Book 432
Page 64)



SUMMARY

Pursuant to Section 13 of the Cape Cod Commission *Enabling Regulations* (revised March 2011), the Development of Regional Impact decision dated December 14, 2006 (as modified on July 7, 2008 and November 1, 2010) for the Jobs-Whiting Neighborhood Master Plan is hereby amended to allow additional time for the submission of a conservation restriction. All findings and conditions attached to the original decision and subsequent modifications continue to apply except as modified herein.

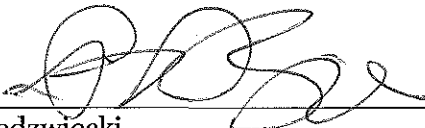
Minor Modification Type #1

The following findings shall be modified to read as follows (**bold type** indicates added text, deleted text is shown as struck out):

Natural Resources

NR1. Prior to the issuance of the **Partial Certificate of Compliance #1**, ~~Final Certificate of Compliance for any building on Lot A,~~ Mashpee Commons, LP shall provide the Cape Cod Commission with a conservation restriction of a form and substance satisfactory to the Commission or its designee and consistent with the Massachusetts General Laws Chapter 184, Section 31-33 and accompanying plan which provides that 3.99 acres (Area A) located on the plan titled "Offsite Open Space Plan" of the Jobs and Whittings Neighborhood Commercial Space Permit Set, drawing L1.2, and dated September 30, 2010 shall be preserved as permanent open space. Prior to the issuance of the **Partial Certificate of Compliance #1**, ~~Final Certificate of Compliance for any building on Lot A,~~ the restriction and site plan shall be approved by Commission counsel, and proof of submittal of the conservation restriction to the Massachusetts Division of Conservation Services and to the Mashpee Boards from whom approval is required shall be provided. The conservation restriction shall provide for the preservation of the 200 ft buffers to the Quashnet River in their undisturbed condition for habitat protection purposes, and may provide for the establishment of community gardens in other, suitable portions of the conservation restricted area. The conservation restriction shall provide for public access and may provide for the establishment of walking trails.

SEE NEXT PAGE FOR SIGNATURE LINE



Paul Niedzwiecki
Executive Director
Cape Cod Commission

Date 6/14/11

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss

June 14, 2011

Before me, the undersigned notary public, personally appeared Paul Niedzwiecki, in his/her capacity as Executive Director of the Cape Cod Commission, whose name is signed on the preceding document, and such person acknowledged to me that he/she signed such document voluntarily for its stated purpose. The identity of such person was proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a federal or state governmental agency, oath or affirmation of a credible witness, or personal knowledge of the undersigned.

Gail P. Hanley
Notary Public

My Commission Expires

10-13-11