

SECOND AMENDMENT TO DESIGN GUIDELINES

This Second Amendment to Design Guidelines for the New Development Area, Charlestown Navy Yard ("Second Amendment") is made as of this 5th day of FEBRUARY, 2010, by the Massachusetts State Historic Preservation Officer ("MSHPO"), the Advisory Council on Historic Preservation ("ACHP"), and Boston Redevelopment Authority ("BRA") (collectively, the "Parties").

RECITALS:

- A. On May 21, 1979, the General Services Administration ("GSA") conveyed to the BRA a portion of the Charlestown Navy Yard referred to as the "New Development Area", which conveyance was subject to a Memorandum of Agreement ("MOA") executed in June of 1978 by the GSA, ACHP, and MSHPO, with concurrence of the BRA. Among other things, the MOA established certain design guidelines, dated June 1978 and amended in July 1991 (as amended, "Design Guidelines"), to which construction activities were required to conform.
- B. The Parties now wish to further amend the Design Guidelines as set forth herein.

NOW THEREFORE, in consideration of the mutual covenants and agreements herein contained, the Parties agree to amend the Design Guidelines as follows:

1. The parcel controls for Parcel 6, set forth in Part 3 of the Design Guidelines, are amended in subsection 1A, entitled "Parcel Area", by deleting the current language and inserting the words "Approximately 3.02 acres"; and in subsection 2, entitled "Permitted Uses," by adding the words "hospital and" between the words "retail" and "parking".
2. The parcel controls for Parcel 7, set forth in Part 3 of the Design Guidelines, are amended in subsection 1A, entitled "Parcel Area", by deleting the current language and inserting the words "Approximately 2.66 acres".
3. This agreement constitutes approval under M.G.L. C. 9 sec 26-27C as amended (950 CMR 71.00) of the Design Guidelines for Parcels 6 and 7, subject to any required design reviews. As modified hereby, the Design Guidelines are hereby ratified and confirmed.

IN WITNESS WHEREOF, the parties have executed this Second Amendment as of the day of the date first above written.

Brona Simon
Brona Simon

Massachusetts State Historic Preservation Officer
John M. Fowler

Advisory Council on Historic Preservation
John Palmieri

Boston Redevelopment Authority
John Palmieri, Director