****

**Forest Conservation**

Application #\_\_\_\_\_\_\_\_\_\_\_

Municipality\_\_\_\_\_\_\_\_\_\_\_\_

Date Received\_\_\_\_\_\_\_\_\_\_

***FOR OFFICE USE ONLY***

**Due Diligence**

**Grant Program**

**COVER PAGE**

Complete **Part 1** of this application and return the original signed application with all requested documentation to Mount Grace Land Conservation Trust, the grant administrator:

Mount Grace Land Conservation Trust

Due Diligence Grant Program

1461 Old Keene Road

Athol, MA 01331

Important notes about the Forest Conservation Due Diligence Grant process:

* This application must be filled out for all applicants seeking a Grant **before** the deed or the conservation restriction is recorded, and **before** due diligence costs are expended. Property that has already been conserved and recorded without first receiving Part 1 and Part 2 Approval Letters will not be eligible for a Grant. **Maximum Grant award is $8,700.**
* To see if you qualify, first complete and submit Part 1 of this application to Mount Grace. You will then receive a Part 1 Approval Letter if you are qualified to proceed further in the application process. Please do not submit Parts 2 and 3 of this application until you are notified with a Part 1 Approval Letter that your conservation project is eligible for a Grant.
* The Part 1 Approval Letter authorizes you to complete and submit Part 2 of the application, which includes some expenditures of eligible due diligence costs. The Part 2 process must be completed and required information submitted to Mount Grace within 90 days of Part 1 approval.
* Upon receipt of your Part 2 information, you will receive a Part 2 Approval Letter if you are eligible to proceed to Part 3, which includes additional expenditures of eligible due diligence costs and the recording of the conservation project. Documentation of the recording, along with final receipts of eligible due diligence closing costs, must be provided back to Mount Grace within 60 days of Part 2 approval.
* Once Mount Grace receives the recorded documents and the receipts of pre-approved due diligence costs, the applicant will receive reimbursement within 45 days.

**Program Summary**

The lack of funding for due diligence costs can be a barrier for landowners interested in conserving their woodlands. The Forest Conservation Due Diligence Grant Program provides financial assistance to qualified forest landowners who permanently protect their land, and who donate land or conservation restriction (CR) value. This Massachusetts Department of Conservation and Recreation (MA DCR) Program covers the costs of appraisals, title exams, surveys, closing costs, and environmental site assessments.1

**To be eligible for the Due Diligence Grant Program, landowners must:**

1. Own subject land in specific Massachusetts municipalities designated by the New England Governors’ Conference “Keeping Forests as Forests” report. These areas include the Massachusetts sections of the Taconics Partnership, Massachusetts-Vermont Woodland Partnership, Southern New England Heritage Forest Partnership, and Quabbin to Cardigan Partnership. 2
2. Attend a qualified MA DCR Working Forest Initiative event or a qualified US Forest Service (USFS) New England Governors’ Conference Commission on Land Conservation Pilot Region event.
3. Conserve at least 10 acres of forested land. In addition, MA DCR must determine that the land contains significant natural resource value.
4. Donate all or part of the appraised value of the land or conservation restriction. The appraised value must be determined by a Qualified Independent Appraiser. The donation must be worth at least 50% of the conservation project’s appraised value or at least $100,000. Projects where 50% of appraised value is greater than $100,000 are only required to donate $100,000 of value to qualify.
	* For example, a project with a CR value of $350,000 would qualify if at least $100,000 is donated – which is less than 50% of its appraised value. In another example, a project with a CR value of $150,000 would qualify if $75,000 of the value is donated, which is 50% of the appraised value.
5. Be enrolled in the Forest Stewardship Program or Chapter 61 (or Chapter 61A or Chapter 61B if the requirements of Chapter 61 are met). Landowners pursuing a CR who are not enrolled may apply for a Due Diligence Grant and enroll in the Forest Stewardship Program concurrently.
6. The Due Diligence Grant may not exceed 50% of the donated value of the land or CR.
	* For example, a land donation of $10,000 is eligible for a grant worth no more than $5,000.

**The program reimburses landowners for approved due diligence costs only after the project has been approved by MA DCR for eligibility and the project has been recorded at the Registry of Deeds.**

The MA DCR Forest Conservation Due Diligence Grant Program is administered by Mount Grace Land Conservation Trust. **For more information**, contact Jay Rasku at 978-248-2118 or rasku@mountgrace.org. For information about other landowner incentive programs in the MA DCR Working Forest Initiative, go to [www.masswoods.net](http://www.masswoods.net).

1Costs for these due diligence expenses are capped.

2A maximum of not more than two landowners per year may be eligible from the Quabbin to Cardigan region.

**PART 1 APPLICATION**

**DUE DILIGENCE GRANT PRE-CERTIFICATION**

**REQUIRED FOR ELIGIBILITY:**

1. Does the proposed project include the permanent conservation of at least 10 acres of forested land? \_\_YES \_\_NO
2. Does the property have a current Forest Stewardship Plan, or is the property currently enrolled in Chapter 61? The property may also be enrolled in Chapter 61A or Chapter 61B if the requirements of Chapter 61 are met. \_\_YES \_\_NO
3. If the property does not have a current Forest Stewardship Plan or is not currently enrolled in Chapter 61, will a Forest Stewardship Plan be pursued concurrently with this application if the proposed project involves a conservation restriction (CR)? \_\_YES \_\_NO

Please explain:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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1. Is the property located within a focus area as shown in Exhibit A or B of this application? \_\_YES \_\_NO
2. Has the landowner attended a MA DCR Working Forest Initiative event or a US Forest Service (USFS) New England Governors’ Conference Commission on Land Conservation Pilot Region event? Please provide date, location, hosting organization and subject of the event:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**Landowner Information**

*List all additional owners on a separate sheet if more than one owner address.*

Landowner(s)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mailing Address\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City/ Town\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ State\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Zip\_\_\_\_\_\_\_\_\_\_

Phone #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Fax #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Type of Ownership**

\_\_Joint Tenancy \_\_Tenants by the Entirety \_\_Tenants in Common

\_\_Life Estate \_\_Other (describe)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Type of Entity**

 \_\_Individual(s) \_\_Sole Proprietor \_\_Trust \_\_Estate \_\_LLC \_\_Partnership

\_\_Limited Partnership \_\_Limited Liability Partnership \_\_Subchapter S Corporation

\_\_Corporation (describe)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_Other Pass-Through Entity (describe)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_Check here if you’ve added an additional sheet of owners.

**Deed or Conservation Restriction Gift/ Bargain Sale**

**\_\_Attach a copy of proposed deed with quitclaim covenants.**

The recipient must be qualified under 501(c)(3) of the Internal Revenue Code of 1986, as amended, or a public conservation agency. Deed donations or bargain sales to non-state or local government entities must also meet the perpetual protection requirement through the granting of a conservation restriction to an eligible entity.

Is the deed recipient a qualified organization? \_\_YES \_\_NO

**OR**

**\_\_Attach a copy of proposed conservation restriction (CR) with quitclaim covenants.**

The recipient must be qualified under M.G.L. c. 184 sec. 32 and 501(c)(3) of the Internal Revenue Code of 1986, as amended, or a public conservation agency.

Is the restriction holder a qualified organization? \_\_YES \_\_NO

\_\_Check here if the proposed conservation restriction has previously been submitted to or reviewed by the Massachusetts Division of Conservation Services (DCS), and include the DCS reference number here:\_\_\_\_\_\_\_\_\_\_\_\_

**Recipient/ Restriction Holder**

Organization\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Contact Name & Title\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mailing Address\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City/ Town\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ State\_\_\_\_\_\_\_ Zip\_\_\_\_\_\_\_\_\_

Phone #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Fax #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Contact Person for this Application**

*This is the person we’ll contact regarding questions on the application, the conservation value of the land, and the distribution of grant information to all the owners.*

Contact Name & Title\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Organization\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mailing Address\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City/ Town\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ State\_\_\_\_\_\_\_ Zip\_\_\_\_\_\_\_\_\_

Phone #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Fax #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**Property Information**

*Definitions:*

*Parcels – All separately described lots that make up the property.*

*Property – All parcels including all proposed conservation areas and all unrestricted areas.*

*Conservation area – The parcels, or portions of parcels, that will be conserved.*

*Unrestricted area – Areas of the parcels that will not be conserved.*

**Property Location**

Street Address\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City/ Town\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Zip\_\_\_\_\_\_\_\_\_\_

*Note: The land must be located in a Massachusetts municipality designated by the New England Governors’ Conference “Keeping Forests as Forests” report. These areas include the Massachusetts sections of the Taconics Partnership, Massachusetts-Vermont Woodland Partnership, Southern New England Heritage Forest Partnership, and Quabbin to Cardigan Partnership. See Exhibits A & B for a map and full listing of qualifying municipalities.*

**Property Recording Information.** Attach copy of the deed(s) for the property to be conserved**.**

Registry\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Book\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Page\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Registry\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Book\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Page\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Registry\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Book\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Page\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Registry\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Book\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Page\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Plan and Survey.** Attach copy of the plan(s) or the survey(s) for the property to be conserved.

Plan Book \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Plan number or page\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Plan Book \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Plan number or page\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Assessor Information.** Attach copy of assessor’s map(s) showing the property to be conserved.

Assessor Map #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Parcel #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Lot #\_\_\_\_\_\_\_\_\_\_\_\_

Assessor Map #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Parcel #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Lot #\_\_\_\_\_\_\_\_\_\_\_\_

Assessor Map #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Parcel #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Lot #\_\_\_\_\_\_\_\_\_\_\_\_

Assessor Map #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Parcel #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Lot #\_\_\_\_\_\_\_\_\_\_\_\_

If only a portion, and not the entirety, of one or more parcels is planned for conservation, sketch the location of the area(s) to be conserved using a recorded plan or the assessor’s map, and label “Conservation Area” and “Unrestricted Area” as approximately located.

**Acreage.**

Total acreage of parcel(s)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Total acreage of parcels(s) to be conserved (conservation area)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Note: Conservation area must be 10 acres or more of woodland to qualify*

Total unrestricted area\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Is the property benefited or burdened by any other interest, including easements, stipulations, or reservations of rights? \_\_YES \_\_NO

If yes, please explain and attach relevant documents and include any claims or potential claims of adverse possession or prescriptive easements:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Are there any liens, mortgages, or other rights such as life estates, private restrictions, etc., that the property is subject to? \_\_YES \_\_NO

If yes, please explain and attach relevant documents:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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*Note: Subordination or releases of interest in the property must be obtained from the lien holder(s) and recorded prior to the recording of the conservation project.*

Has the property been the subject of any applications for development, such as subdivision or special permits, in the preceding 10 years? \_\_YES \_\_NO

If yes, please explain:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**Gift/ Donation/ Bargain Sale Intention**

The Grant application is for a donation, gift, or bargain sale that is expected to have a value of $\_\_\_\_\_\_\_\_\_\_\_\_

*Note: the donation must be either 1) at least 50% of the appraised value of the CR or land conservation project, or 2) if 50% of the appraised value of the CR or land conservation project is more than $100,000, then at minimum $100,000 in value must be donated.*

**Due Diligence Grant Request**

Please check off which eligible Grant expenses you are applying for. Fill in the Estimated Cost and your Grant Request for each item. Note that the Grant reimbursement amount for each eligible category is capped. Closing Costs may include legal fees and recording fees. Only a Phase 1 Environmental Site Assessment (ESA) is eligible.

|  |  |  |  |
| --- | --- | --- | --- |
|  | Grant Cap | Estimated Cost | Grant Request |
| \_\_Appraisal | $3,000.00 |  |  |
| \_\_Title Exam | $1,000.00 |  |  |
| \_\_Survey | $3,000.00 |  |  |
| \_\_Closing Costs | $750.00 |  |  |
| \_\_Environmental Site Assessment | $1,000.00 |  |  |

Total Estimated Costs $\_\_\_\_\_\_\_\_\_\_\_\_

**Total Grant Request $\_\_\_\_\_\_\_\_\_\_\_\_\_**

*Note: The Grant award may not exceed 50% of the donated value of the land or CR. For example, a CR donation of $10,000 would be eligible for a grant worth 50% of the donation, or $5,000.*

If you are applying for reimbursement for a survey, please provide detail on the need for a survey:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

If necessary, please provide additional information on the expected donation or due diligence costs:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**Conservation Values and Purposes**

Mount Grace and DCS will conduct a thorough review of the natural resource values of the property using available GIS data and a site visit. This will include a review of the following conservation values: drinking water supply protection, wildlife habitat, species of statewide importance, ecological integrity, archaeological and historical resources, prime soils, and connectivity to existing conservation land. Please provide a brief summary of the natural resource values and other public benefits that will be significantly advances by the conservation of the subject property, especially those values not necessarily captured by GIS analysis:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Additional Information**

1. Is the property subject to any regulatory restrictions on development under any state or local government regulations or ordinances (e.g., Wetland Protection Act, River Protection Act, zoning, public or private restrictions, covenants, easements, etc.)? \_\_YES \_\_NO If Yes, please explain:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. Has the land been set aside or used towards development requirements at any time in order to increase building lot density levels (e.g., dedicated greenspace within conservation or open space subdivisions or cluster developments)? \_\_YES \_\_NO If Yes, please explain:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. Is any area of the land used or planned for uses such as golf courses, soccer fields, softball fields, or other types of intensively managed or intensively active recreational or commercial uses? \_\_YES \_\_NO If Yes, explain:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

4. Briefly describe the past and current uses of the subject property. Past uses should include historic uses over the past several decades, such as structures, orchards, agriculture, mills:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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5. How will the property be permanently protected to maintain the conservation values?

\_\_**Perpetual conservation restriction** with a grantee who has agreed to accept the restriction and has reviewed and approved the draft, subject to the understanding that DCS may require edits or suggest changes before it is signed. Briefly explain what activities will be allowed and what will be prohibited:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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\_\_**Fee simple** conveyance to a public agency or private agency. Briefly explain how the land will be protected for conservation uses:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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6. Provide a copy of the Forest Stewardship Plan or Chapter 61 Forest Management Plan. Briefly describe how the property will be managed, and by whom, to maintain the conservation values being protected:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**Landowner Signature Page**

*To be signed by landowner or landowner’s authorized agent or legal representative:*

**I endorse the accuracy of the information provided in this application. I affirm that the donated property is not dedicated open space by local governmental regulation or ordinance, and that it has not been dedicated to increase building density levels under such regulations and ordinances. Further, I certify that to the best of my knowledge the donor of the subject property possesses good record and marketable title to the premises to be conveyed, and that any liens or mortgages have been (or will be) subordinated.**

**I agree to provide additional documentation requested by the Massachusetts Executive Office of Energy and Environmental Affairs (EEA) to complete this application. Further, I authorize EEA and Mount Grace Land Conservation Trust (the administrator of the Grant program) to enter the property to conduct on-site investigations for making the conservation purposes determination. In the case of a conservation restriction, I am aware that annual site inspections will be required to ensure that my land is being used in a manner consistent with the conservation restriction.**

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Signature of landowner or landowner’s authorized agent or legal representative

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Printed name

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of landowner or landowner’s authorized agent or legal representative

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Printed name

**Recipient Organization Signature Page**

**I certify that our organization meets the criteria of a qualified organization as defined by the Due Diligence Grant Program, and as an official representative of the qualifying organization, I have the authority to accept the donation of the subject property in fee simple or by conservation restriction. I certify that our organization has the capacity to manage the land if we retain title, or annually monitor and enforce the terms of the conservation restriction.**

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Signature of recipient/ restriction holder

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Date Printed name and title

**Part 1 Pre-Certification Application Checklist:**

\_\_Is the land to be conserved located in an eligible area? See Exhibit A and B

\_\_Is the land to be conserved at least 10 acres in size?

\_\_Is the land enrolled in the Forest Stewardship Program or Chapter 61 (or Chapter 61A or 61B if

 the requirements of Chapter 61 are met)?

\_\_If not currently enrolled, is there a plan to pursue a Forest Stewardship Plan if the project

 involves a CR?

\_\_Did the landowner attend a qualifying DCR or USFS workshop?

**Does the Application Package include:**

\_\_Landowner Signature Page?

\_\_Recipient Organization Signature Page?

\_\_Draft Conservation Restriction? \_\_Draft Deed?

\_\_Copy of Forest Stewardship Plan or Chapter 61 Forest Management Plan?

 (or) \_\_Copy of Forest Stewardship Program Application?

\_\_Assessor’s Map(s)?

\_\_Current Deed(s)?

\_\_Survey(s) if available?

\_\_Plan(s) if available?

\_\_Information regarding the landowner’s participation in a DCR or USFS eligible workshop?

**Questions? Please contact Jay Rasku at 978-248-2118 or** **rasku@mountgrace.org**

**Please mail the completed Application Package to:**

 Mount Grace Land Conservation Trust

 Due Diligence Grant Program

 1461 Old Keene Road

 Athol, MA 01331

Once the application is received and reviewed, we will schedule a site visit of the property.

If the proposed donation meets the criteria for the Due Diligence Grant Program, you will receive a Part 1 Approval Letter, with a notice to proceed to Part 2.

The application is a 3-part process designed to avoid unnecessary expenses for the applicants until the project has been determined to be eligible. **DO NOT ORDER ANY DUE DILIGENCE WORK OR SPEND ANY MONEY UNTIL YOU RECEIVE WRITTEN NOTIFICATION TO DO SO.**

If you receive a notice that your proposed donation does not meet the criteria, and is not eligible for the Due Diligence Grant Program, you have 15 days to provide additional information. After evaluating the new information, you will be informed if the new information has resulted in a change in determination.

**STOP HERE**

**DO NOT CONTINUE UNLESS YOU RECEIVE A PART 1 APPROVAL LETTER**

**PART 2**

**If you receive a Part 1 Approval Letter authorizing you to proceed to Part 2, the letter will specify: 1) the due diligence items that are eligible for reimbursement, and 2) the maximum reimbursement amount for each item. The letter will describe the items and information to submit within 90 days. Submitting an appraisal is always required. The eligible items for reimbursement may include:**

1. **Certified Appraisal by a Qualified Independent Appraiser.** The appraisal must:
* Contain all of the assumptions, constraints, and benefits taken into account to determine the value.
* Include a documented narrative with an adequate explanation of the appraisal procedure and data (including comparables and adjustments) used to arrive at the valuation.
* Be commissioned by the landowner (donor).
* List Executive Office of Energy & Environmental Affairs, the Massachusetts Department of Revenue, the Massachusetts Department of Conservation and Recreation, and Mount Grace Land Conservation Trust (the administrator of the Grant program) as “intended users” of the appraisal.
* If the appraised value was based on potential development, provide the information showing the basis and development assumptions and constraints and whether a change in zoning would be required.

All due diligence grant applicants who receive a Part 1 Approval Letter must submit an electronic copy of an appraisal. If the applicant is eligible for a grant award to cover costs associated with the appraisal, an invoice from the appraiser and a copy of the cancelled check must also be submitted.

1. **Title examination and title certificate.** The title exam must certify good record and marketable title and list all interests in the property, including liens, easements, leases, life estates, etc. For reimbursement, provide an electronic copy of the title exam and certificate, invoice from the title company, and copy of cancelled check.
2. **Phase 1 Environmental Site Assessment (ESA).** For reimbursement, include an electronic copy of the ESA, invoice from the ESA company, and copy of cancelled check.
3. **Survey.** For reimbursement, include an electronic copy of the survey, invoice from surveyor, and copy of cancelled check.

**STOP HERE**

**DO NOT CLOSE AND RECORD THE CONSERVATION PROJECT OR CONTINUE FURTHER UNLESS YOU RECEIVE A PART 2 APPROVAL LETTER AND NOTICE TO PROCEED TO PART 3.**

**PART 3**

**If you receive a Part 2 Approval Letter, the letter will state that the required invoices, information and check copies have been submitted, and will authorize the project to proceed to closing. Within 60 days of Part 2 approval, the applicant must provide an electronic copy of:**

1. **Recorded conservation restriction or deed.**
2. **GIS shapefile** of the conservation restriction or conservation land.
3. **Closing costs documentation**, such as legal fees, recording fees, and other pre-approved eligible closing costs. For reimbursement, include an electronic copy of invoices from closing attorney, registry of deeds, etc., and copies of cancelled checks.

**Grant payment to reimburse all eligible expenses will be mailed within 45 days of receiving**

**all required documentation.**

**EXHIBIT A – Eligible Municipalities**

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**EXHIBIT B – Eligible Municipalities**

ADAMS

ALFORD

ASHBURNHAM

ASHFIELD

ATHOL

BARRE

BELCHERTOWN

BERNARDSTON

BRIMFIELD

BROOKFIELD

BUCKLAND

CHARLEMONT

CHARLTON

COLRAIN

CONWAY

DEERFIELD

DOUGLAS

DUDLEY

EAST BROOKFIELD

EGREMONT

ERVING

FLORIDA

GARDNER

GRANBY

GREAT BARRINGTON

GREENFIELD

HAMPDEN

HANCOCK

HARDWICK

HAWLEY

HEATH

HOLLAND

HUBBARDSTON

LANESBOROUGH

LEICESTER

LEVERETT

LEYDEN

LUDLOW

MONROE

MONSON

MONTAGUE

MOUNT WASHINGTON

NEW ASHFORD

NEW BRAINTREE

NEW SALEM

NORTH ADAMS

NORTH BROOKFIELD

NORTHFIELD

OAKHAM

ORANGE

OXFORD

PALMER

PELHAM

PETERSHAM

PHILLIPSTON

PITTSFIELD

PLAINFIELD

RICHMOND

ROWE

ROYALSTON

SAVOY

SHEFFIELD

SHELBURNE

SHUTESBURY

SOUTHBRIDGE

SPENCER

STURBRIDGE

SUTTON

TEMPLETON

WALES

WARE

WARREN

WARWICK

WEBSTER

WENDELL

WEST BROOKFIELD

WEST STOCKBRIDGE

WESTMINSTER

WILBRAHAM

WILLIAMSTOWN

WINCHENDON