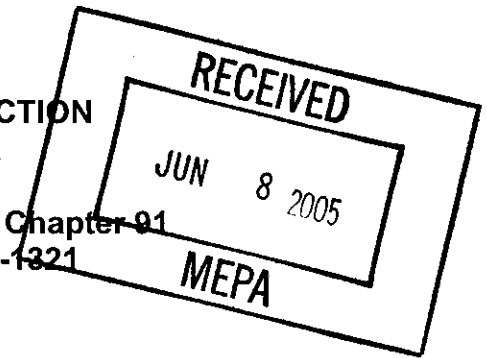


DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM

Notice of License Application pursuant to M. G. L. Chapter 91
Waterways License Application Number W05-1321
Elm Top Realty Trust



NOTIFICATION DATE: June 15, 2005

Public notice is hereby given of the application by Elm Top Realty Trust to construct and maintain a pier, ramp and float at 7 Elm Top Lane in the municipality of Beverly in and over flowed tidelands of Beverly Harbor. The proposed use of the project is to provide access to navigable waters and is a water dependent project.

The Department will consider all written comments on this Waterways application received by within 30 days subsequent to the "Notification Date". Failure of any aggrieved person or group of ten citizens or more to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c).

Additional information regarding this application may be obtained by contacting the Waterways Regulation Program at (617) 292-5500. Project plans and documents for this application are on file with the Waterways Regulation Program for public viewing, by appointment only, at the address below. Written comments must be addressed to: Ben Lynch, Program Chief, WRP, One Winter St., 6th fl., Boston, MA 02108.