

AMENDMENT NUMBER 3 TO MASTER DEED

NAGOG COMMUNITY DEVELOPERS, INC., a Massachusetts corporation with its principal place of business in Acton, Middlesex County, Massachusetts (the "Grantor") being the Grantor in the Master Deed creating Phase I of Nagog Woods Condominium IV, a four-phase condominium, dated May 28, 1974 recorded with Middlesex South Registry of Deeds in Book 12686, Page 27, as amended by Amendment Number 1 thereto creating Phase II thereof, dated September 24, 1974 and recorded with said Deeds in Book 12707, Page 214 and Amendment Number 2 thereto dated October 25, 1974 and recorded with said Deeds immediately prior hereto, being the sole owner of the land with the buildings thereon in said Acton described in paragraph 2 below, by this amendment and in accordance with said Master Deed, does hereby create with respect to said property Phase III of said condominium, to be governed by and subject to the provisions of Massachusetts General Laws, Chapter 183A.

1. Unit Owner's Organization The condominium will be managed and regulated by the Association as set forth in said Master Deed.

2. Description of Land A parcel of land in said Acton, with the buildings, improvements and structures thereon; shown as Phase III on Sheet 3 of a four-sheet plan entitled "Plan of Condominium IV, Village of Nagog Woods, Town of Acton, Massachusetts, Middlesex County", prepared by W. A. Corsano, Jr., Registered Land Surveyor, Scale 1" equals 20', dated May 8, 1974 (the "Condominium Plan"), the original linen tracing of which was recorded with said Master Deed.

MARGINAL REFERENCE REQUESTED

BOOK 12686 PAGE 27

DEC 11 7 41 PM 1974 126 185 RE **1100

SEE PLAN IN RECORD BOOK 12737 PAGE 180

3. Nagog Woods Community Corporation There is appurtenant to each Unit in Phase III membership in the Nagog Woods Community Corporation as set forth in said Master Deed and in the Nagog Woods Restrictions, a set of restrictions dated September 6, 1972, recorded with said Deeds in Book 12293, Page 1, as amended in accordance with a document dated May 28, 1974, recorded with said Deeds in Book 12686, Page 22.

4. Description of the Buildings Phase III of the Condominium consists of eighteen (18) Units in three (3) buildings, as shown on Sheet 3 of the Condominium Plan, said buildings and Units being designated as follows:

<u>Building Number</u>	<u>Number of Units</u>	<u>Unit Designations</u>
42	6	421 - 426
43	6	431 - 436
44	6	441 - 446

All of said buildings have two and one-half stories, with poured concrete foundations and wood frame bearing wall construction. Buildings 43 and 44 and portions of Building 42 have basements. Building 42 also has lofts and mahogany trim and wood clapboard finish. Buildings 43 and 44 are partially mahogany trim and wood clapboard finish and partially brick veneer finish.

5. Description of Units and Their Boundaries The designation of each Unit in Phase III, a statement of its location, type, number of floors, number of rooms, and immediate common areas to which it has access, and its proportionate interest in the Common Elements are set forth in Schedule A attached to said Master Deed as amended. The approximate area of each Unit in Phase III is set forth in Exhibit A attached hereto and made a part hereof. The layout of each Unit in Phase III and the location of the rooms are as shown on the floor plans thereof

recorded herewith. Included within each Unit are the windows, doors and the inside portions of the window and door frames located beyond the boundaries of the Unit, as to which each such Unit shall have the right and easement of encroachment over the Common Elements.

There is appurtenant to each Unit in Phase III the same rights and easements as are set forth in paragraph 5 of said Master Deed for Units in Phases I and II, except for the rights described in said Master Deed relating to Units 294 and 304.

Building 42 Each of the Units in Building 42, being numbered 421 through 426, has three floors containing the rooms specified in Schedule A. Units 422 through 425 each has a basement containing a garage and storage space directly beneath the first floor. Each of these Units has a fireplace and chimney, a wooden deck adjacent to the living room, and a wooden deck adjacent to the dining room. Access to each deck is provided by a sliding glass door. Units 422 through 425 each has an interior stairway between the basement and the first floor, between the first floor and the second floor, and between the second floor and the loft. There is also an interior stairway between the entrance to the Unit and the first floor. Units 421 and 426 each has a fireplace and chimney and a wooden deck adjacent to the living room, access to which is provided by a sliding glass door. There is an interior stairway between the first floor and second floor and an open spiral stairway between the second floor and the loft in each of these Units.

Building 43 Each of the Units in Building 43, being numbered

431 through 436, has an open basement, access to which is provided by a bulkhead and exterior stairway, two floors containing the rooms specified in Schedule A, and an open attic, access to which is provided by a drop stairway. Units 432 and 434 each has a fireplace and chimney. Units 431, 433, 435 and 436 each has two fireplaces and chimneys. Each Unit has a wooden deck adjacent to the living/dining room, and kitchen, access to which is provided by three sliding glass doors. There is an interior stairway between the first floor and the basement and between the first floor and the second floor in each Unit in Building 43.

Building 44 Each of the Units in Building 44, being numbered 441 through 446, has an open basement, access to which is provided by a bulkhead and exterior stairway, two floors containing the rooms specified in Schedule A, and an open attic, access to which is provided by a drop stairway. Units 442 and 446 each has a fireplace and chimney. Units 441, 443, 444 and 445 each has two fireplaces and chimneys. Each Unit has a wooden deck adjacent to the living/dining room, and kitchen, access to which is provided by three sliding glass doors. There is an interior stairway between the first floor and the basement and between the first floor and the second floor in each Unit in Building 44.

6. Description of the Common Elements The owner of each Unit in Phase III shall be entitled to an undivided interest in the Common Elements in the percentages set forth in Schedule A of said Master Deed, as amended.

The Common Elements of Phase III consist of the entire property, designated Phases I, II and III as aforesaid, including all parts of the buildings and improvements thereon other than the Units and will include, without limitation, the improvements, elements, items and facilities set forth and described in Section 6 of the Master Deed. The

Grantor, by this Amendment Number 3, hereby grants to the Unit owners of Units in Phases I and II an undivided interest in the Common Elements contained in Phase III as shown on said Sheet 3 of the Condominium Plan in the percentages set forth in Schedule A of the Master Deed, as amended.

The Common Elements shall be subject to the provisions of the By-Laws, the Nagog Woods Restrictions as amended, to the rules and regulations promulgated pursuant thereto with respect to the use thereof, to the assignment of certain Common Elements to particular Unit Owners and to payments which may be required therefor.

7. Floor Plans Simultaneously with the recording hereof, there will be recorded a set of Floor Plans of the buildings, showing the layout, location, Unit numbers, dimensions of the Units, and stating the numbered designation of each building, and bearing the verified statement of a registered professional engineer or registered land surveyor, certifying that the Plans fully and accurately depict the layout, location, Unit numbers and dimensions of the Units as built.

8. Use of the Units The Units in Phase III are subject to the restrictions on use contained in Section 8 of the Master Deed.

9. Amendment of Master Deed The Master Deed, as amended by this Amendment Number 3, may be further amended in the manner set forth in Section 9 thereof.

10. Determination of Percentage in Common Elements The percentages of interest of the Units in Phase III in the Common Elements have been determined upon the basis of the approximate relation which the fair value of each Unit on the date of said Master Deed bears to the aggregate fair value of all the Units on said date.

11. Master Deed Incorporated by Reference Each of the Units and the Common Elements in Phase III shall be subject to the Master Deed, as amended, the Unit Deed, the By-Laws of the Association, the Nagog Woods Restrictions, as amended, and any and all rules and regulations promulgated pursuant thereto. The provisions of the Master Deed, as amended, except as herein modified or amended and except as the context thereof clearly restricts portions of said Master Deed to Phase I or Phase II are hereby incorporated by reference into this Amendment Number 3 and shall apply to Phase III and to the Units and Common Elements included therein as fully as if they had been completely set forth herein.

IN WITNESS WHEREOF, the Grantor has caused this Amendment to be executed by its duly authorized officer and its corporate seal to be hereunto affixed this 25th day of October, 1974.

NAGOG COMMUNITY DEVELOPERS, INC.

By Gerald R. Mueller
Gerald R. Mueller, President

COMMONWEALTH OF MASSACHUSETTS

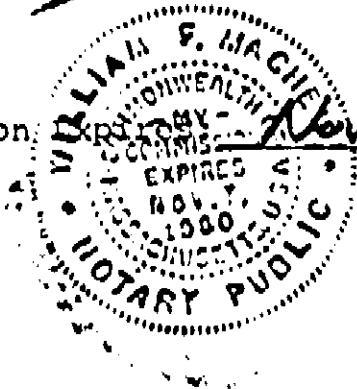
MIDDLESEX, ss.

October 25, 1974

Then personally appeared the above named, Gerald R. Mueller, the President of Nagog Community Developers, Inc., and acknowledged the foregoing instrument to be the free act and deed of said corporation, before me,

William F. Machin
Notary Public

My Commission



Nov 2, 1980

SCHEDULE A TO AMENDMENT NUMBER 3 TO MASTER DEEDNAGOG WOODS CONDOMINIUM IVACTON, MASSACHUSETTS

<u>Unit Number</u>	<u>Approximate Area in Square Feet</u>
421	1,396
422	1,594
423	1,586
424	1,597
425	1,594
426	1,409
431	1,502
432	1,521
433	1,504
434	1,513
435	1,503
436	1,490
441	1,503
442	1,523
443	1,503
444	1,518
445	1,510
446	1,516