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RICE SCHOOL CONDOMINIUM
AMENDMENT TO THE MASTER DEED

Reference is hereby made to that certain Declaration of Trust dated August 10, 2008 and recorded with the Worcester County Registry of Deeds in Book 42947, Page 85, which Declaration of Trust established and to that certain Master Deed dated June 9, 2008, and recorded with the Worcester County Registry of Deeds in Book 42947, Page 59, which Master Deed established, both, pursuant to Massachusetts General Laws, Chapter 183A the Rice School Condominium.

WHEREAS the Unit Owners entitled to at least sixty-seven (67%) percent of the undivided interest desire to amend said Master Deed as provided for in Section L thereof.

WHEREAS no other consents are required.

NOW THEREFORE said Master Deed is hereby amended in accordance with the provisions of said Section L by inserting at the end of Section G the following:

Smoking Restrictions: Effective upon recording of this Amendment, smoking shall be prohibited within all Units and within the building(s) and grounds comprising the Rice School Condominium, including but not limited to: in the individual Units, in all building(s), in and upon all balconies, decks, and patios whether open or closed, indoor exclusive use areas, within the parking areas, and all Condominium grounds.

In connection with the foregoing, no Owner shall smoke, or permit smoking by any occupant, agent, tenant, invitee, guest, friend, or family member anywhere in or upon the Condominium property. Smoking shall include the inhaling, exhaling, vaping, breathing, carrying, or possession of any lighted cigarette, cigar, pipe, other product containing any amount of tobacco, marijuana, or other heated or lit product.

Notwithstanding this prohibition against smoking, Unit Owners are permitted to smoke outside, so long as they are no closer than fifty (50') feet of any building when doing so. The Board of Trustees, in its sole discretion, may alter this rule from time to time.

In addition, no owner or occupant of a unit, or any guest or invitee at the Condominium may utilize such unit or any of the common areas and facilities for the purpose of growing, distributing or selling marijuana or medical marijuana, whether or not for his or her own personal use. Nor shall any owner or occupant of a unit or any guest or invitee utilize such

15a,

unit or any of the common areas and facilities for the purpose of manufacturing, synthesizing, producing or distributing any illicit or controlled substances as such substances defined either by applicable state and/or federal laws regulating same.

Owners will be responsible for any damage to the Condominium property or other units resulting from any violation of this section including but not limited, to damage to property, insurance deductibles, fines, increased water and utility charges and increased insurance premiums.

Notwithstanding the foregoing prohibition on smoking, an owner who resides at the Condominium and smokes at the time of the recording of this instrument shall be defined as "Grandfathered Resident." To be deemed a Grandfathered Resident the resident must notify the Board in writing within fourteen (14) days of the recording of this instrument that he/she is a smoker. Such Grandfathered Resident shall be exempt from this smoking restriction only as to within the Unit, and shall be subject to such reasonable conditions as the Trustees may by rule and regulation impose, including, but not limited to the following condition: in the event any other residents complain of second-hand smoke emanating from the unit in which the Grandfathered Resident resides, the Board in its sole discretion may require the Owner of said Unit to take one or more of the following steps, or any other steps as determined by the Board, solely at the Owners expense: (i) purchase a filter system, such as HEPA filter system, and operate it inside the unit at a level that prevents smoke from migrating to surrounding areas; and/or (ii) seal all penetrations in walls, ceilings and floors to prevent smoke from migrating to surrounding areas and units; and/or (iii) require the resident to cease from smoking in the Unit, at which time said resident shall no longer be deemed a Grandfathered Resident and thereafter shall be subject to the terms of this smoking restriction.

While the restrictions contained in this Section are intended to render the Condominium premises smoke free, the Board of Trustees is not a guarantor of a smoke-free environment hereunder. The Board of Trustees shall have the right, but not the obligation, to enforce this restriction if the Board determines, in its discretion, that it is appropriate to do so in any individual case or circumstance. If the Board of Trustees determines to take any such action, then in addition to its other rights and remedies under the constituent documents of the Condominium, at law, and in equity, the Board of Trustees shall be entitled to recover its costs and expenses, including all attorneys' fees and court costs, incurred in enforcing this restriction.

If the Board of Trustees determines, in its discretion and for any reason, not to pursue enforcement of this restriction in any individual case or

circumstance, any unit owner may bring his or her own separate action to enforce this restriction against any other unit owner who violates (or whose unit occupant, agent, tenant, invitee, licensee, guest, friend, or family member violates) this provision. If a unit owner who brings such an action succeeds in establishing that the other unit owner has violated this restriction, the unit owner bringing such action shall be entitled to recover his or her costs and expenses, including reasonable attorneys' fees and court costs, incurred in such action from the other unit owner.

No unit owner, occupant, agent, tenant, invitee, licensee, guest, friend, family member or other person shall be entitled to recover from the Board of Trustees any attorneys' fees, court costs, or other costs or expenses, incurred in any action brought by, or against, the Board of Trustees under or pursuant to this restriction, including, without limitation, any action to enforce this restriction or any action for failure to enforce this restriction, regardless of whether any such unit owner, occupant, agent, tenant, invitee, licensee, guest, friend, family member or other person prevails in such action.

[SIGNATURES APPEAR ON NEXT PAGE]

IN WITNESS WHEREOF we, the undersigned being a majority of the Trustees of the Rice School Condominium Trust having first received the written consent of the Unit Owners entitled to at least sixty-seven (67%) percent of the undivided interest, all of which are attached hereto, have set our hands and seals this 6th day of December, 2017.

Amy Hardin
Amy Hardin, Trustee

Marie Wemett
Marie Wemett, Trustee

Karl Hakkarainen
Karl Hakkarainen, Trustee

Betty Hale
Betty Hale, Trustee

James Vevone
James Vevone, Trustee

COMMONWEALTH OF MASSACHUSETTS

Worcester County, ss.

On this 6th day of December, 2017, before me, the undersigned notary public, personally appeared Amy Hardin, Marie Wemett, Karl Hakkarainen, and James Vevone, Betty Hale proved to me through satisfactory evidence of identification, being (check whichever applies): driver's license or other state or federal governmental document bearing a photographic image, oath or affirmation of a credible witness known to me who knows the above signatory, or ☒ my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged the foregoing to be signed by him/her voluntarily for its stated purpose, as Trustees of said Rice School Condominium Trust.

Dennis M. Ravelli, II
Notary Public

My Commission Expires: 7/8/2022



DENNIS M. RAVELLI, II
Notary Public
Commonwealth of Massachusetts
My Commission Expires July 8, 2022

RICE SCHOOL CONDOMINIUM
 CONSENT TO AMENDMENT OF MASTER DEED

I, the undersigned Unit Owner of the below specified Unit of the Rice School Condominium, having the below listed percentage undivided interest, do hereby indicate my consent as shown below on the proposed amendment attached hereto to Section G of the Master Deed to prohibit smoking at the Condominium.

YES – in favor of the amendment to the Master Deed

X

NO - opposed to the amendment to the Master Deed

I do further authorize and empower the Trustees of the Rice School Condominium Trust to annex this consent to said amendment as if my signature appeared thereon.

WITNESS my hand and seal this 5 day of December, 2017.

6

 Unit Number(s)

 Undivided Interest
 (to be completed by the Trustees)

Elizabeth Dykhause

 (Print Name)

ED

 (Signature)

RICE SCHOOL CONDOMINIUM
CONSENT TO AMENDMENT OF MASTER DEED

I, the undersigned Unit Owner of the below specified Unit of the Rice School Condominium, having the below listed percentage undivided interest, do hereby indicate my consent as shown below on the proposed amendment attached hereto to Section G of the Master Deed to prohibit smoking at the Condominium.

YES – in favor of the amendment to the Master Deed

X

NO - opposed to the amendment to the Master Deed

I do further authorize and empower the Trustees of the Rice School Condominium Trust to annex this consent to said amendment as if my signature appeared thereon.

WITNESS my hand and seal this 5th day of December, 2017.

23

Unit Number(s)

Matthew Clark
(Print Name)

Undivided Interest
(to be completed by the Trustees)

Matthew Clark
(Signature)

RICE SCHOOL CONDOMINIUM
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YES – in favor of the amendment to the Master Deed

✓

NO - opposed to the amendment to the Master Deed

I do further authorize and empower the Trustees of the Rice School Condominium Trust to annex this consent to said amendment as if my signature appeared thereon.

WITNESS my hand and seal this 5 day of December, 2017.

2
Unit Number(s)

Kelly Henderson
(Print Name)

Undivided Interest
(to be completed by the Trustees)

Kelly Henderson
(Signature)

RICE SCHOOL CONDOMINIUM
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YES in favor of the amendment to the Master Deed _____

NO - opposed to the amendment to the Master Deed _____

I do further authorize and empower the Trustees of the Rice School Condominium Trust to annex this consent to said amendment as if my signature appeared thereon.

WITNESS my hand and seal this 5 day of December, 2017.

42
Unit Number(s)

Undivided Interest
(to be completed by the Trustees)

CAROL A. DUNN
(Print Name)

Carol A. Dunn
(Signature)

RICE SCHOOL CONDOMINIUM
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YES – in favor of the amendment to the Master Deed

✓

NO - opposed to the amendment to the Master Deed

I do further authorize and empower the Trustees of the Rice School Condominium Trust to annex this consent to said amendment as if my signature appeared thereon.

WITNESS my hand and seal this 5 day of Dec, 2017.

1
Unit Number(s)

Doris D'Aquila
(Print Name)

Undivided Interest
(to be completed by the Trustees)

Doris D'Aquila
(Signature)

RICE SCHOOL CONDOMINIUM
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YES – in favor of the amendment to the Master Deed

K

NO - opposed to the amendment to the Master Deed

I do further authorize and empower the Trustees of the Rice School Condominium Trust to annex this consent to said amendment as if my signature appeared thereon.

WITNESS my hand and seal this 5th day of December, 2017.

10
 Unit Number(s)

 Undivided Interest
 (to be completed by the Trustees)

Amy Hardin
 (Print Name)

Amy Hardin
 (Signature)

RICE SCHOOL CONDOMINIUM
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YES – in favor of the amendment to the Master Deed

X

NO - opposed to the amendment to the Master Deed

I do further authorize and empower the Trustees of the Rice School Condominium Trust to annex this consent to said amendment as if my signature appeared thereon.

WITNESS my hand and seal this 5 day of Dec, 2017.

11. 14. 15. 16. 17. 18. 25
Unit Number(s)

Rice Holden, LLC
Harbert G Ingram
(Print Name)

Undivided Interest
(to be completed by the Trustees)

[Signature]
(Signature)

**RICE SCHOOL CONDOMINIUM
CONSENT TO AMENDMENT OF MASTER DEED**

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YES – in favor of the amendment to the Master Deed

✓

NO - opposed to the amendment to the Master Deed

I do further authorize and empower the Trustees of the Rice School Condominium Trust to annex this consent to said amendment as if my signature appeared thereon.

WITNESS my hand and seal this 5th day of December, 2017.

9
Unit Number(s)

Undivided Interest
(to be completed by the Trustees)

Carrie Stevens
(Print Name)

[Signature]
(Signature)

RICE SCHOOL CONDOMINIUM
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YES -- in favor of the amendment to the Master Deed

 X

NO - opposed to the amendment to the Master Deed

I do further authorize and empower the Trustees of the Rice School Condominium Trust to annex this consent to said amendment as if my signature appeared thereon.

WITNESS my hand and seal this ____ day of _____, 2017.

 3
Unit Number(s)

Betty Hale
(Print Name)

Undivided Interest
(to be completed by the Trustees)

Betty Hale
(Signature)

RICE SCHOOL CONDOMINIUM
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YES – in favor of the amendment to the Master Deed

✓

NO - opposed to the amendment to the Master Deed

I do further authorize and empower the Trustees of the Rice School Condominium Trust to annex this consent to said amendment as if my signature appeared thereon.

WITNESS my hand and seal this 5th day of December, 2017.

19
 Unit Number(s)

James A. Verone II
 (Print Name)

 Undivided Interest
 (to be completed by the Trustees)

[Signature]
 (Signature)

RICE SCHOOL CONDOMINIUM
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YES - In favor of the amendment to the Master Deed X

NO - opposed to the amendment to the Master Deed _____

I do further authorize and empower the Trustees of the Rice School Condominium Trust to annex this consent to said amendment as if my signature appeared thereon.

WITNESS my hand and seal this 5TH day of DECEMBER, 2017.

24
Unit Number(s)

Undivided Interest
(to be completed by the Trustees)

SANDRA HAKKAPAINEN
(Print Name)

[Signature]
(Signature)

ATTEST: WORC. Anthony J. Vigliotti, Register