

FIRST AMENDMENT TO THE
MASTER DEED FOR THE
MILL VILLAGE EAST CONDOMINIUM

DBT Corp., a Massachusetts corporation, having an address at 777 Main Street, Hartford, Connecticut, as trustee of Alin Realty Trust under Declaration of Trust dated October 23, 1990 and recorded in the Suffolk County Registry of Deeds in Volume 16560 at Page 105, is the successor in interest to William E. Evans, Trustee of Mill Village Trust, the Declarant under the Master Deed for Mill Village East Condominium dated November 30, 1988 and recorded in the Franklin County Registry of Deeds in Volume 2294, at Page 127 (the Master Deed) which submitted the Premises described therein and located in South Deerfield, Massachusetts to the provisions of Chapter 183A of the General Laws of Massachusetts and to create a condominium (the Condominium) governed by and subject to the provisions of said Chapter 183A.

PRELIMINARY STATEMENT

The purpose of this Amendment is to amend the Master Deed pursuant to paragraph 10 thereof to clarify building descriptions and plans, common areas, exclusive easement areas and the maintenance of the subsurface sewerage disposal systems described in the Master Deed.

NOW THEREFORE, in consideration of the foregoing, the Master Deed is amended as follows:

1. Section 4(a) of the Master Deed is deleted and the following is substituted in its place:

"(a) Floors: With respect to the basement, the plane of the upper surface of concrete flooring; with respect to all other stories, the upper surface of the subflooring."
2. Section 4(b) of the Master Deed is deleted and the following is substituted in its place:

"(b) Ceilings: The plane of the lower surface of the ceiling joists on each story and the plane of the lower surface of the ceiling rafters in the attic."
3. Clause (e) of the first paragraph of Section 5 of the Master Deed is deleted and the following is substituted in its place:

"(e) each Condominium Unit shall have an exclusive easement to use a portion of the lot on which the building is located as a lawn and garden area, the boundaries of such area to be determined by the Trustees of the Unit Owners Association, as well as an exclusive easement to use the deck attached to the Unit as shown on the unit plans attached to the Master Deed as Exhibit C, and an exclusive easement to use the garage servicing each Unit as shown on the unit plans attached to the Master Deed as Exhibit C, and an exclusive easement to use the driveway area servicing each Unit, and an exclusive easement to use the attic space over each Unit, in all cases subject to the right of entry by the Unit Owners Association for maintenance and repairs."

4. The following paragraphs shall be added to Section 5 of the Master Deed:

"It is specifically acknowledged that the trustees under the Declaration of Trust of Mill Village East Condominium Trust and By-Laws dated November 30, 1988, and recorded in the Franklin County Registry of Deeds in Book 2294, at Page 170, as amended, (the Condominium Trust) shall be responsible for the maintenance of the common areas and facilities including the leaching fields and subsurface sewerage disposal systems located on the Premises and serving the Condominium and shall collect from Unit Owners as part of their Condominium Common Charges sufficient funds to be held by and in the name of the Condominium Trust for the maintenance and repair of said common leaching fields and subsurface sewerage disposal systems. An account shall be established at a local bank and permanently maintained by the Condominium Trust for funds to be used for such maintenance and repair of the common leaching fields and subsurface sewerage disposal systems. The account shall name the Town of Deerfield as a party and shall empower the Board of Health of the Town of Deerfield to utilize the available funds to effect any necessary repairs or replacement of a malfunctioning septic system should the Condominium Trust fail to make such repairs in a timely fashion. The Condominium Trust shall cause the septic systems to be emptied and cleaned at least once every three years by a certified or licensed septage hauler.

It is specifically acknowledged that the trustees of the Condominium Trust shall be responsible for the maintenance of the retention pond located on the Premises and serving the Condominium and shall collect from Unit Owners as part of their Condominium Common Charges sufficient funds to be held by and in the name of the Condominium Trust for the maintenance and repair of said retention pond.

The two-story storage garage building located on Lot 11 as shown on the plans of the Condominium filed with the Master Deed is considered to be part of the common areas and facilities."

5. The fourth paragraph of Section 5 (at the bottom of page 5) is deleted.
6. Exhibit A of the Master Deed is deleted and Exhibit A attached to this Amendment is substituted in its place.
7. Exhibit C of the Master Deed is deleted and Exhibit C attached to this Amendment is substituted in its place.
8. In all other respects, the Master Deed is hereby ratified and confirmed.

IN WITNESS WHEREOF, the undersigned has caused this Amendment to be duly executed and delivered, under seal, on this 6th day of January, 1993.

DBT Corp., as trustee of Alin Realty Trust, Owner of all the Units

By: Theodore J. Horan
Theodore J. Horan
Its Vice President

STATE OF CONNECTICUT

On this the 6th day of January 1993 personally appeared Theodore J. Horan, signer and sealer of the of the foregoing instrument and acknowledged the same to be his free act and deed and the free act and deed of DBT Corp., as trustee of Alin Realty Trust.

Karen E. Wendel
Notary Public
my Commission expires: 12/31/96

EXHIBIT "A"

BEGINNING at an iron pin located in the easterly sideline of Mill Village Road, said iron pin marking the northwesterly corner of land now or formerly of Richard and Adelaide Safirowicz; thence N 27° 54'56" W along the easterly sideline of Mill Village Road a distance of 350.00 feet to a concrete bound; thence northeasterly along the arc of a curve having a radius of 20.00 feet a distance of 31.42 feet to a concrete bound; thence easterly along the arc of a curve having a radius of 188.55 feet a distance of 104.87 feet to a concrete bound; thence S 86° 02'56" E a distance of 125.83 feet to an iron pin; thence S 86° 02'56" E a distance of 54.90 feet to a concrete bound; thence easterly along the arc of a curve having a radius of 175.00 feet a distance of 283.40 feet to a concrete bound; thence N 01° 19'51" E a distance of 141.29 feet to a concrete bound; thence along the arc of a curve having a radius of 60.00 feet a distance of 264.46 feet to a concrete bound; thence along the arc of a curve having a radius of 40.00 feet a distance of 50.64 feet to a concrete bound; thence S 01° 19'51" W a distance of 45.90 feet to a concrete bound; thence along the arc of a curve having a radius of 125.00 feet a distance of 202.43 feet to a concrete bound; thence N 86° 02'56" W a distance of 93.50 feet to an iron pin; thence N 86° 02'56" W a distance of 87.23 feet to a concrete pin; thence along the arc of a curve having a radius of 238.55 feet a distance of 132.68 feet to a concrete bound; thence along the arc of a curve having a radius of 20.00 feet a distance of 31.42 feet to a concrete bound, the last 14 courses being along Evans Lane as shown on said plan; thence N 27° 54'56" W a distance of 86.08 feet to a point; thence N 32° 34'56" W a distance of 32.74 feet to an iron pin; thence N 32° 34'56" W a distance of 300.00 feet to an iron pin, the last three courses being along the easterly sideline of Mill Village Road thence N 83° 19'21" E along land now or formerly of Peter and Kathleen Melnick a distance of 1,006.92 feet to an iron pin; thence S 08° 32'21" W along land now or formerly of the Commonwealth of Massachusetts and land now or formerly of William P. Belunes, Julia M. Belunes and Janet P. Callahan, a distance of 864.43 feet to an iron pin; thence S 83° 15'15" W along land now or formerly of Richard and Adelaide Safirowicz a distance of 422.25 feet to the iron pin at the place of beginning, excepting and excluding therefrom parcel 9 as shown on said Plan.

Containing parcels 1, 2, 4, 5, 6, 7, 8, 10, 11 and 12 as shown on said plan.

Together with all right title and interest in the road commonly known as Evans Lane as set forth of the plan entitled "Plan of Land in Deerfield of Franklin Co., MA prepared for John E. Evans by CT Male Associates" in Plan Book 59, Page ___ of the Franklin County Registry of Deeds