



2007 0821827
Blk: 09248Pg: 222 Page: 1 of 6
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**FOURTH AMENDMENT
TO
MASTER DEED
OF THE
OLD SCHOOL COMMONS CONDOMINIUM**

Emerald City Partners, LLC, a Massachusetts Limited Liability Company organized and operating under the laws of the Commonwealth of Massachusetts with offices at 77 Mill Street, Suite 320, Westfield, Massachusetts 01085 established the Old School Commons Condominium pursuant to Chapter 183A of the General Laws of the Commonwealth of Massachusetts, as amended, by Master Deed dated September 5, 2003 recorded on September 9, 2003 in the Hampshire County Registry of Deeds at Book 7449, Page 1 et seq., as amended by the First Amendment, dated December 29, 2004 and recorded January 7, 2005 in the Hampshire County Registry of Deeds in Book 8126, Page 341, and as amended by Second Amendment dated March 27, 2006 and recorded on April 10, 2006 in the Hampshire County Registry of Deeds in Book 8875, Page 287, and as amended by Third Amendment dated December 22, 2006 and recorded on January 2, 2007 in the Hampshire County Registry of Deeds in Book 8997, Page 144; and, pursuant to the provisions of Article XIII of the Master Deed, Emerald City Partners, LLC (the "Declarant") does hereby amend the Master Deed as follows:

By adding the following after Section 11.2:

11.3 Selected Expenses. Notwithstanding the definitions of Common Expenses and Common Charges, and Special Expenses and Special Charges set forth in Sections 2.2, 11.1 and 11.2 herein, and as an exception to those definitions and the use and application of those terms in this Master Deed, the Trustees shall have the power and authority to designate certain expenses herein referred to as "Selected Expenses" to be charged to certain Commercial Units. Selected Expenses shall include the following commercial common area expenses:

- a. cleaning and janitorial services and supplies,**
- b. electricity, heat, gas, water and sewer**
- c. maintenance and repairs including signage**
- d. general liability and property damage insurance**

Selected Expenses shall mean and include those expenses which the Trustees determine were actually expended for (i) a specific Commercial Unit or Units but less than all of the Units; or (ii) all Units reserved for commercial occupants only. As to any expense which the Trustees determine was used by or benefited the Commercial Units more than the total of the percentage interest in common areas set forth in Schedule C, then 38% of such expenses (grounds electricity and maintenance, snow removal, gate entrance expenses, and rubbish) when shared with the entire three building complex of 17, 25, and 35 New South Street, or 59% of such expenses (roof repairs, elevator maintenance, and fire/security alarm and telephone expense) when shared with 17 and 25 New South Street, shall be classified as a Selected Expense and charged to Commercial Unit Owners in addition to each Commercial Unit's percentage interest in the Common Area Charges based upon Schedule C. To the extent that any of the Selected Expenses are to be charged to all of the Commercial Units, the Trustees shall allocate such expenses to the Commercial Units based upon the ratio of each Commercial Unit's square footage to the total square footage of all Commercial Units as set forth in Exhibit "E" (the "Commercial Percentages"), provided, however, once the Northampton Center for the Performing Arts no longer occupies any of the Commercial Units, the Commercial Percentages shall be as set forth in Exhibit "F."

To the extent any of the Selected Expenses are to be charged to more than one (1) but less than all of the Commercial Units, the Trustees shall allocate such expenses to such Commercial Units based upon the ratio of each such Commercial Unit's square footage to the total square footage of the particular Commercial Units that benefited from such expense.

In witness whereof, the Declarant, Emerald City Partners, LLC has caused this Fourth Amendment to be executed in its behalf by CASSANDRA LYN ALLEN and AMANDA J. ALLEN, its Members, this 21 day of August, 2007.

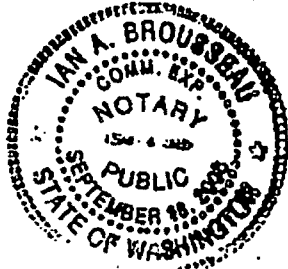
EMERALD CITY PARTNERS, LLC

By: 
 CASSANDRA LYN ALLEN
 Its Member

By: *[Signature]*
AMANDA J. ALLEN
Its Member

STATE OF WASHINGTON
KING COUNTY

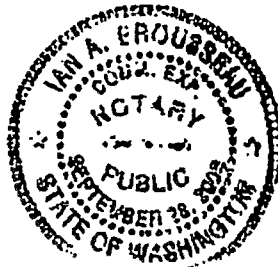
On this 21 day of August, 2007, before me, the undersigned notary public, personally appeared CASSANDRA LYN ALLEN, proved to me through satisfactory evidence of identification, which was WADU, or was based upon my personal knowledge of such person's identity, to be the person whose name is signed on the preceding or attached document in my presence.



[Signature], Notary Public
My commission expires: SEP 28, 2008

STATE OF WASHINGTON
KING COUNTY

On this 21 day of August, 2007, before me, the undersigned notary public, personally appeared AMANDA J. ALLEN, proved to me through satisfactory evidence of identification, which was WADU, or was based upon my personal knowledge of such person's identity, to be the person whose name is signed on the preceding or attached document in my presence.



[Signature], Notary Public
My commission expires: SEP 28, 2008

Exhibit E**Old School Commons - Commercial CAM Allocation**

<u>17 New South Street</u>	Select Expenses Commercial CAM Allocation
<u>Suite#</u>	
100	4.86%
101	4.02%
102	5.58%
103	0.54%
104	1.30%
107	3.32%
108	2.54%
109	3.32%
116	6.46%
201	3.97%
202	2.03%
203	0.89%
204	10.89%
205	6.36%
208	8.43%
301	4.08%
302	5.74%
303	0.00%
304	0.00%
305	0.00%
308	0.00%

<u>25 New South Street</u>	Select Expenses Commercial CAM Allocation
<u>Suite#</u>	
101	7.27%
102	3.00%
103	5.98%
104	2.99%
105	2.28%
108	3.27%

Exhibit F**Old School Commons - Commercial CAM Allocation**

<u>17 New South Street</u>	Select Expenses Commercial CAM Allocation
<u>Suite#</u>	
100	3.63%
101	3.00%
102	4.17%
103	0.40%
104	0.97%
107	2.48%
108	1.90%
109	2.49%
118	4.83%
201	2.97%
202	1.52%
203	0.67%
204	8.15%
205	4.76%
208	6.30%
301	3.06%
302	4.29%
303	1.51%
304	2.61%
305	11.31%
308	2.81%

<u>25 New South Street</u>	Select Expenses Commercial CAM Allocation
<u>Suite#</u>	
101	7.20%
102	2.91%
103	5.07%
104	4.47%
105	1.84%
108	4.90%

ATTEST: HAMPSHIRE Marianne L. Donohue REGISTER
 MARIANNE L. DONOHUE