



2017 00004650

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FOURTH AMENDMENT  
TO  
MASTER DEED  
OF  
THE UPPER RIDGE CONDOMINIUM

Reference is hereby made to the Master Deed dated August 18, 2014, recorded in Book 11728, Page 246, with the Hampshire County Registry of Deeds (the "Master Deed"), establishing The Upper Ridge Condominium (the "Condominium"), situated in Northampton, Hampshire County, Commonwealth of Massachusetts.

WHEREAS, the undersigned, Wright Builders, Inc., being the declarant of the Condominium ("Declarant") under the Master Deed has the exclusive right to amend the Master Deed pursuant to Section 14(a) thereof until May 27, 2017, which is four (4) months after seventy-five (75%) percent of the possible units have been conveyed by the Declarant to Unit Owners;

WHEREAS, secondhand tobacco smoke contains no less than 60 compounds of which are known or probable human carcinogens, and is itself classified as a "Class A" carcinogen by the United States Environmental Protection Agency;

WHEREAS, exposure to secondhand smoke substantially increases the risk in non-smokers of lung cancer, cardiovascular disease and other acute and chronic health conditions; WHEREAS, secondhand smoke is known to drift through common walls and ventilation systems and contaminate air in common areas and individual units;

WHEREAS, the Declarant desires to amend the Master Deed as set forth hereinafter.

NOW, THEREFORE, the Declarant hereby amends the Master Deed as follows:

Effective March 15, 2017, except for within the interior of Units D1, D2 and D3, smoking shall be prohibited everywhere else on the property of the Condominium including, but not limited to, individual units, indoor and outdoor exclusive use areas, and indoor and outdoor common areas. No owner shall smoke, or permit smoking by any occupant, agent, tenant, invitee, guest, friend or family member anywhere on the property except for within the interior of Units D1, D2 and D3. Smoking shall include the inhaling, exhaling, breathing, carrying or possession of any lighted cigarette, cigar, pipe, other product containing any amount of tobacco, or other similar heated, smoldering or lit product.

This amendment shall not amend, alter or otherwise affect the existing rule prohibiting Unit Owners from causing nuisances. It is acknowledged hereby, that subsequent to the recording of this Amendment, drifting secondhand smoke might rise to the level of constituting a nuisance.

All provisions of said Master Deed not specifically amended by this Amendment are hereby ratified and confirmed.

*[Remainder of page is intentionally blank*

*Signature line follows on next page.]*

EXECUTED as a sealed instrument this 3<sup>rd</sup> day of March, 2017.

**WRIGHT BUILDERS, INC.**

Ashley E. Harrison  
Witness

By: [Signature]  
Mark Ledwell, President and Treasurer

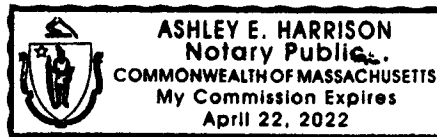
THE COMMONWEALTH OF MASSACHUSETTS

Hampshire, ss.

March 6, 2017

On this 6<sup>th</sup> of March, 2017, before me, the undersigned notary public, personally appeared Mark Ledwell, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as President and Treasurer of WRIGHT BUILDERS, INC.

Ashley E. Harrison  
Notary Public:  
My Commission Expires:



ATTEST: HAMPSHIRE, [Signature], REGISTER.  
MARY OLBERDING