



Bk: 7910Pg: 8 Page: 1 of 9
Recorded: 07/20/2004 02:02 PM

Second Amendment of Master Deed

BIXBY COURT CONDOMINIUM

Know all Persons by These Presents,

That we,

CHARLES W. BOWLES, Individually and Managing Partner BOWLES ENTERPRISES, LLP 237 Main Street, Northampton Owner of Unit No. 62-64	21.5659% beneficial interest
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ALICE GRAHAM BROWN 4 Bixby Court, Northampton Owner of Unit No. 4	16.1896% beneficial interest
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PRASHANT J. SHENOY and ANITA RAO 6 Bixby Court, Northampton Owner of Unit No. 6	11.3149% beneficial interest
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JONATHON H. PODOLSKY 8 Bixby Court, Northampton Owner of Unit No. 8	13.1056% beneficial interest
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JIUMING YE 10 Bixby Court, Northampton Owner of Unit No. 10	11.0296% beneficial interest
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JOEL S. SPIRO and LEIGH M. BAILEY 12 Bixby Court, Northampton Owner of Unit No. 12	11.0180% beneficial interest
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VINCENT J. SILLUZIO and KATHLEEN B. SILLUZIO 14 Bixby Court, Northampton Owner of Unit No. 14	15.7762% beneficial interest
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Owners of one hundred (100%) percent of the beneficial interests of the Bixby Court Condominium, and Trustees of the Bixby Court Condominium Trust, pursuant to Section VIII of the Master Deed, recorded in the Hampshire Registry of Deeds in **Book 5960, Page 171** and the First Amendment of the Master Deed recorded in **Book 6068, Page 304** and the Plan of Phase I, Plan of Land in Northampton, Massachusetts for Bixby Court Condominium Trust recorded in **Plan Book 187, Page 33**, hereby amend said Master Deed and Plan as follows:

1. Approve the subdivision of Unit 62-64, as provided in Section III of the Master Deed into Units 62A, 62B, 64A and 64B, as shown on the Amended Plan of Bixby Court Condominium, and recorded in the Hampshire Registry of Deeds at Plan Book 201, Page 13.
2. Amend Exhibit B to the Master Deed, as attached, by the subdivision of Unit 62-64, 5,404 square feet, into Unit 62A, 1,749 square feet, Unit 62B, 1,908 square feet, Unit 64A, 2,272 square feet and Unit 64B, 2,216 square feet, and noting that there are now ten (10) units in the condominium.
3. Amend Article III of the Master Deed by deleting it in its entirety and replacing it as follows:

“The seven buildings on said land as shown on the Amended Plan which is hereby incorporated herein by this reference and made a part hereof. Units 6, 8, 10, 12 and 14 consist of five (5) rooms, excluding the bathrooms and basement and the back and side yards as shown on the Plan. Unit 4 consists of nine (9) rooms, excluding the bathrooms and the back and side yard as shown on the Plan. Units 62A, 62B, 64A and 64B consist of three (3) rooms, exclusive of bathrooms, and include the adjacent porches, decks and patios as part of the unit, as shown on the Plan. Units 4, 6, 8, 10, 12 and 14 include the adjacent back and side yard as common area only for those units, and not common to the Condominium part of the unit. All units have access to the common area known as Bixby Court.”

4. Amend Article IV of the Master Deed by adding a new section (D), as follows:

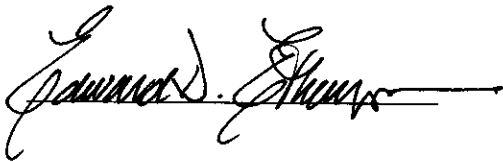
IV. “(D) Included in units 62A and 62B, and 64A and 64B is a one-quarter interest in the side yard as shown on the plan. This area is common to these four (4) units only and is not common area of the Bixby Court Condominium. Units 62A, 62B, 64A and 64B shall be responsible for the maintenance of the back/side yard which is common only to those four units as well as any painting or maintenance of the shutters on the Hawley Street building. Included in each of the four (4) units (62A, 62B, 64A, 64B) as part of the unit, and not common area, is the adjacent porch, deck or patio area, as shown on the Amended Plan. The basement area and hallways of the Hawley Street building shall also be common to Units 62A, 62B, 64A and 64B and not common area of the Bixby Court Condominium.”

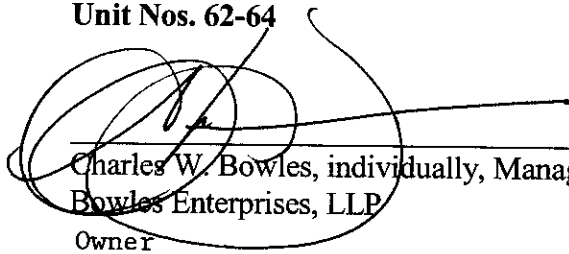
- 5. This Second Amendment complies with Section 33 of the By-Laws of the Bixby Court Condominium Trust.
- 6. This Second Amendment amends Exhibit B of the Master Deed, amending the percentage interest of the Unit Owners and all of the Unit Owners of the Bixby Court Condominium have assented to this Second Amendment.

In all other matters, we ratify and affirm the provisions of the Master Deed dated June 16, 2000.

EXECUTED as a sealed instrument on this 1st day of July, 2004.

Unit Nos. 62-64





 Charles W. Bowles, individually, Managing Partner
 Bowles Enterprises, LLP
 Owner

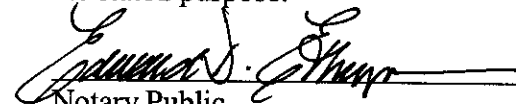
COMMONWEALTH OF MASSACHUSETTS

HAMPSHIRE, SS.

July 1, 2004

On this 1st day of July, 2004, before me, the undersigned notary public, personally appeared Charles W. Bowles, proved to me through satisfactory evidence of identification, which was my 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.

Edward D. Etheredge
 Notary Public
 My Commission Expires
 4/15/05



 Notary Public
 My commission expires:

Unit No. 1

Alice Graham Brown

Alice Graham Brown
Owner and Trustee

COMMONWEALTH OF MASSACHUSETTS

HAMPSHIRE, SS.

July 6th, 2004

July

On this 6th day of ~~June~~, 2004, before me, the undersigned notary public, personally appeared Alice Graham Brown, proved to me through satisfactory evidence of identification, which was my personal knowledge to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

Gail Vishaway

Notary Public
My Commission Expires:

GAIL VISHAWAY
Notary Public
My Commission Expires
October 18, 2007

Unit No. 6

Prashant J. Shenoy

Prashant J. Shenoy

Anita Rao

Anita Rao

Unit No. 8

Jonathan H. Podalsky

Unit No. 4

Alice Graham Brown

COMMONWEALTH OF MASSACHUSETTS

HAMPSHIRE, SS.

_____, 2004

On this July day of ~~June~~, 2004, before me, the undersigned notary public, personally appeared Alice Graham Brown, proved to me through satisfactory evidence of identification, which was my personal knowledge to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

Unit No. 6

Prashant J. Shenoy
Prashant J. Shenoy
Owner and Trustee

Anita Rao
Anita Rao

Unit No. 8

Jonathon H. Podolsky
Jonathon H. Podolsky

Unit No. 12

Joel S. Spiro
Joel S. Spiro

Leigh M. Bailey
Leigh M. Bailey

Unit No. 14

Vincent J. Silluzio
Vincent J. Silluzio
Owner and Trustee

Kathleen B. Silluzio
Kathleen B. Silluzio

COMMONWEALTH OF MASSACHUSETTS

HAMPSHIRE, SS.

July 1, 2004

On this 1st day of ~~June~~ July, 2004, before me, the undersigned notary public, personally appeared Vincent J. Silluzio and Kathleen B. Silluzio, proved to me through satisfactory evidence of identification, which was my personal knowledge to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

Nicole Rumrill
Notary Public

My Commission Expires:

NICOLE RUMRILL
MY COMMISSION EXPIRES
JULY 24, 2009

Unit No. 10

Jinming Ye
Jinming Ye

Exhibit "A"

The land in Northampton, Hampshire County, Massachusetts, together with the buildings thereon, bounded and described as follows: Certain real estate, with all the buildings and structures now or hereafter standing or placed thereon, situated in Northampton, in the County of Hampshire and Commonwealth of Massachusetts, on Hawley Street, more particularly bounded and described as follows:

Bounded Southwesterly by said Hawley Street; Southeasterly by the respective homesteads now or formerly of Solomon Laeore, Ralph L. Williams, Jonas M. Clark and Mrs. Ella G. Bement; Northeasterly by land formerly of Henry F. Williams, and Northwesterly partly by land now or formerly of said Williams and partly by the homestead formerly of Mrs. Benjamin – containing one hundred and forty (140) rods of land, more or less.

SUBJECT TO AND TOGETHER WITH the rights and covenants of a Special Permit Decision of the Northampton Planning Board dated August 12, 1999 and recorded in the Hampshire Registry of Deeds in Book 5813, Page 124.

SUBJECT TO an Easement to MediaOne of Western New England, Inc. dated December 29, 1999 and recorded in the Hampshire Registry of Deeds in Book 5865, Page 260.

SUBJECT TO an Easement to Massachusetts Electric Company and New England Telephone and Telegraph Company dated October 28, 1999 and recorded in the Hampshire Registry of Deeds in Book 5844, Page 110.

BEING the same premises conveyed by deed of Alan D. Zapka and Helen E. Zapka to Bowles Enterprises, LLP dated July 1, 1999 and recorded in the Hampshire County Registry of Deeds on July 9, 1999 in Book 5736, Page 8. The same also being known as #62-64 Hawley Street and #4-14 Bixby Court, Northampton, Massachusetts.

ALSO BEING the same premises shown on the Phase I, Plan of Land in Northampton, Massachusetts prepared for Bixby Court Condominium Trust by Randall E. Izer of Harold L. Eaton & Associates, Inc. dated June 1, 2000 and recorded in the Hampshire Registry of Deeds in Plan Book 187, Page 33, and the Amended Plan in Plan Book 201, Page 13.

Amended Exhibit "B"

July __, 2004

BIXBY COURT CONDOMINIUMS

Unit	Number	Description	Area	%	Final Area	Final %
4	4 Bixby Court	1st & 2nd Floor Front Porch Garage Back Yard Total	2048 192 504 1280 4024	16.4%	2112.5 86.0 470.3 1388.0 4056.8	14.6%
6	6 Bixby Court	1st & 2nd Floor Front Porch Garage Back Yard Total	1636 148 252 680 2716	11.1%	1643.3 148.0 278.0 766.0 2835.3	10.2%
8	8 Bixby Court	1st & 2 nd Floor Front Porch Garage Back/side Yard Total	1636 148 276 922 2982	13.1%	1642.8 148.2 280.0 1213.0 3284.0	11.8%
10	10 Bixby Court	1st & 2nd Floor Front Porch Garage Back/side Yard Total	1636 148 240 680 2767	11.2%	1637.2 148.0 242.6 736.0 2763.8	9.9%
12	12 Bixby Court	1st & 2nd Floor Front Porch Garage Back/side Yard Total	1636 148 240 680 2762	11.2%	1638.7 147.8 238.4 736.0 2760.9	9.9%
14	14 Bixby Court	1st & 2nd Floor Front Porch Garage Back/side Yard Total	1636 148 240 1860 3952	16.1%	1642.8 148.0 238.4 1924.0 3953.2	14.2%
62A	62A Hawley St.	1st Floor Patio Rear Ent. & ¼ yard area Total	919 150 680 1749	N/A	919.0 150.0 680.0 1749.0	6.3%
62B	62B Hawley St.	2 nd Floor Front Porch Rear Deck Rear Ent. & ¼ yard area Total	969 37 162 740 1908	N/A	969.0 37.0 162.0 740.0 1908.0	6.9%

64A	64A Hawley St.	1 st Floor	1272	N/A	1272.0	8.2%
		Patio	120		120.0	
		Rear Ent. & ¼ yard area	880		880.0	
		Total	2272		2272.0	
64B	64B Hawley St.	2 nd Floor	1153	N/A	1153.0	8.0%
		Front Porch	37		37.0	
		Rear Deck	166		166.0	
		Rear Ent. & ¼ yard area	860		860.0	
		Total	2216		2216.0	
		Total		100%	27,789	100%

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