

**DEEPWOODS CONDOMINIUM  
AMENDMENT OF MASTER DEED  
TO ADD PHASE III**

This AMENDMENT of the MASTER DEED of the DEEPWOODS CONDOMINIUM, A CONDOMINIUM, dated May 14, 1999, recorded with the Hampshire County Registry of Deeds in Book 5687, Page 111, Witnesseth, That:

WHEREAS, David J. McCutcheon did by said Master Deed, as the Declarant thereof, create the Deepwoods Condominium, a Condominium, situated in Northampton, Hampshire County, Massachusetts; and

WHEREAS, it is provided in Article 8 of said Master Deed that said Declarant reserves and shall have the right, without the consent of any Unit Owner or Mortgagee, upon the completion of construction of a certain building or buildings as therein specified on the land described in Article 2 of said Master Deed, and shown on the Site Plan of Deepwoods Condominium filed with said Master Deed, to amend said Master Deed so as to include in said Condominium, as Phase III thereof, the Buildings containing Units A, B, G and H, the units contained therein and the improvements thereon and shown on the Site Plan of Deepwoods Condominium filed with said Hampshire County Registry of Deeds at Plan Book 185, Page 72, and the revised Site Plan at Plan Book 185, Page 242; and it is provided in said Article 8 of said Master Deed that, from and after the inclusion of said Phase III in said Condominium, the percentage of undivided interests in the common areas and facilities of the Condominium of units in Phases 1 and II shall be changed; and

WHEREAS, the construction of such buildings on said land has now been completed, and the Declarant desires so to include said Phase III in said Deepwoods Condominium:

NOW, THEREFORE, I, David J. McCutcheon, being the Declarant as aforesaid, by duly executing and registering this Amendment of Master Deed, do hereby submit the Buildings, the units A, B, G and H contained therein and the improvements thereon as Phase III of Deepwoods Condominium, and do hereby state that I propose to create, and do hereby create Phase III of the Deepwoods Condominium and do hereby include said Phase III of the Deepwoods Condominium, to be governed by and subject to the provisions of said Chapter 183A, Massachusetts General Laws, as amended. Said Phase III shall be subject to and shall have the benefit of the provisions of said Master Deed and the by-laws of the Deepwoods Condominium Association.

**I. Description of Buildings in Phase III**

Phase III of the Condominium consists of two (2) Buildings containing four (4) residential units. The Building containing Units A and B consists of one story plus an attached garage and basement crawl space. The building containing Units G and H consists of one story, a walk-out basement and an attached garage. The materials of which said Buildings are principally constructed are the same as set forth in Article 3 of the Master Deed with respect to the Phase I building.

## **II. Description of Units and Their Boundaries in Phase III**

The designation of each unit in Phase III of the Condominium and a statement of its location, approximate area, number of rooms, immediate common area to which it has access, and other descriptive specifications thereof are shown on Exhibit B attached hereto and made a part hereof by reference.

The units in Phase III of the Condominium are of the same residence type and each of the units contain and include the following:

Kitchen / dining area combination, living room and two bedrooms, two baths, closet area and an attached garage. Units A and B have basement crawl spaces; Units G and H have walk-out basements.

The boundaries of the units in Phase III with respect to the floors, ceilings, walls, doors and windows are the same as are stated in Article 4 of the Master Deed with respect to the units in Phase I of the Condominium.

## **III. Common Areas and Facilities**

The common areas and facilities of the Condominium, including Phases I, II and III, comprise and consist of (a) the land described in Article 2 of the Master Deed, together with the benefit of and subject to the rights and easements referred to in said Master Deed, and all parts of the Buildings, other than the units themselves, in Phases I, II and III and the improvements thereon and (b) all of the same elements, features and facilities of the buildings and grounds, which are described, defined, and referred to in Article 5 of said Master Deed as common areas and facilities. As provided in said Article 5 of the Master Deed, said common areas and facilities shall be subject to the provisions of the by-laws of the Deepwoods Condominium dated May 14, 1999, recorded with the Hampshire County Registry of Deeds at Book 5687, Page 126, and to all rules and regulations promulgated pursuant thereto with respect to the use and maintenance thereof.

## **IV. Floor Plans of Units**

Simultaneously with the registering hereof, there has been registered a set of the floor plans of the Buildings in Phase III, showing the layout, location, unit numbers, and dimensions, of the units in Phase III, stating the designation of the Buildings, and bearing the verified statement of a registered land surveyor certifying that said plans fully and accurately depict the layout, location, unit numbers, and dimensions of the units in Phase III, as built.

## **V. Percentage Interests in Common Areas and Facilities**

Upon the registering of this Amendment to the Master Deed creating Phase III of the Condominium, the units in Phase I, Phase II and Phase III of the Condominium shall be entitled to an undivided interest in the common areas and facilities of the Condominium in the percentages

herein specified as set forth in Exhibit B attached hereto and made a part hereof by reference. The determination of the percentage interests of the respective units in the common areas and facilities have been made upon the basis of the approximate relation that the fair value of each town home unit bears to the aggregate fair value of all the town home units in Phase I, Phase II and Phase III.

**VI. Use of Buildings and Units; Reserved Rights**

The provisions set forth and incorporated in the Master Deed with respect to Use of Buildings and Units (Article 7) shall also apply to the units of said Phase III as well as Phases I and II.

**VII. Amendments to Master Deed**

The Master Deed may be further amended in accordance with the provisions of Article 9 of said Master Deed.

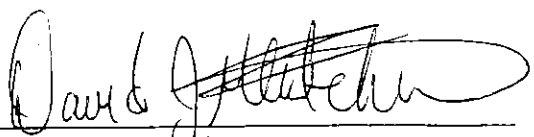
**VIII. Organization of Unit Owners**

The Condominium will be managed and regulated by the Deepwoods Condominium Association as set forth in Article 10 of said Master Deed.

**IX. Master Deed Incorporated by Reference**

Each of the units and the common areas and facilities in Phase III shall be subject to the terms and provisions of the Master Deed and by-laws of the Deepwoods Condominium Association, as they may be amended from time to time, and any and all rules and regulations promulgated pursuant thereto. Except as herein expressly amended, all terms and provisions of said Master Deed of Deepwoods Condominium shall remain in full force and effect and shall be applicable to and shall govern all units, and the owners thereof, and all common areas and facilities in Phase III as well as in Phases I and II of the Deepwoods Condominium and the provisions of said Master Deed, except as the context thereof clearly restricts portions of said Master Deed to Phase I and II, are hereby incorporated by reference into this Amendment and shall apply to Phase III and the units and common areas and facilities included in said Phase III, as well as Phases I and II as if they had been completely set forth herein.

IN WITNESS WHEREOF, David J. McCutcheon, the Declarant, has executed this Amendment to the Master Deed of Deepwoods Condominium this 29th day of September, 1999.

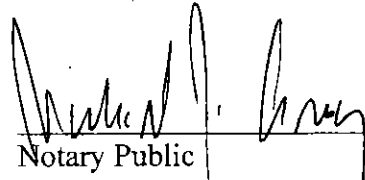
  
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David J. McCutcheon

COMMONWEALTH OF MASSACHUSETTS

HAMPSHIRE, SS

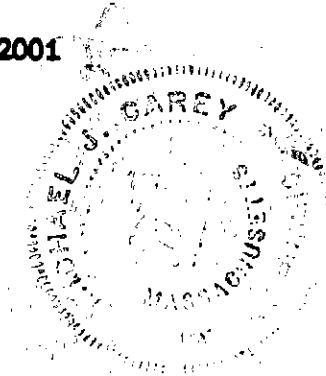
SEPTEMBER 29, 1999

Then personally appeared the above-named David J. McCutcheon and acknowledged the foregoing instrument to be his free act and deed, before me.



Notary Public

**MICHAEL J. CAREY**  
Notary Public  
My Commission Expires Nov. 30, 2001



DEEPWOODS CONDOMINIUM  
EXHIBIT B  
(amended)

(PHASE III)

UNIT	# OF ROOMS	APPROX. AREA IN SQ. FT.	% INTEREST
A	5	Unit: 1034 / Garage: 290	11.772 %
B	5	Unit: 1034 / Garage: 290	12.026 %
C	5	Unit: 1034 / Garage: 359	12.715 %
D	5	Unit: 1034 / Garage: 359	12.047 %
E	6	Unit: 1827 / Garage: 292	12.384 %
F	6	Unit: 1827 / Garage: 292	13.078 %
G	6	Unit: 2224 / Garage: 243	12.989 %
H	6	Unit: 2224 / Garage: 243	12.989 %

1. The number of rooms stated include a kitchen / dining area combination, living room, and two bedrooms. In addition to the number of rooms stated each Unit contains closet space and bathrooms, G and H having three baths and all other Units having two baths. Units E, F, G and H have an additional room in the basement, i.e., walk-out basement.
2. Units E, F, G and H have walk-out basements. Units A, B, C and D have basement crawl spaces.
3. The square foot area set forth for each Unit represents the interior area and is exclusive of exterior patio for all Units and the basement crawl space / storage area in Units A, B, C and D.
4. The immediate common area to which each Unit has access is the common grounds and landscaped area from both the front and the rear of the Unit.

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