



2019 00023264

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Recorded: 11/20/2019 11:32 AM

**AMENDMENT TO THE DECLARATION OF TRUST OF THE
OLD SCHOOL COMMONS CONDOMINIUM**

This Amendment to the Declaration of Trust of the Old School Commons Condominium (the "Condominium") is made, signed and acknowledged this 6th day of November, 2019, by the Board of Trustees of the Old School Commons Condominium Trust who hereby certify that this Amendment was adopted with the consent in writing of Unit Owners entitled to at least ***fifty-one percent (51%)*** of the beneficial interest in the Old School Commons Condominium Trust pursuant to Article VII, Section 7.1 and every other power of the Declaration of Trust dated September 5, 2003, and recorded with the Hampshire County Registry of Deeds at Book 7449, Page 45 (as previously amended, the "Declaration of Trust").

WHEREAS, Article VII, Section 7.1 of the Declaration of Trust provides that the Declaration of Trust may be amended by the Trustees with the consent in writing of Unit Owners entitled to at least ***fifty-one percent (51%)*** of the beneficial interest in the Old School Commons Condominium Trust;

NOW THEREFORE, pursuant to the power and authority set forth in the Declaration of Trust and M.G.L. c. 183A et. seq., the Declaration of Trust is hereby amended as follows:

1. Article III of the Declaration of Trust is amended by adding the following new Article III, Section 3.1.1:

1. By adding the following subsection after Section 3.1:

Section 3.1.1: Eligibility to Serve as Trustee:

(a) Only the following people shall be eligible to be elected and serve as a Trustee:

- i. in the case where a natural person possesses an ownership interest in a Unit, then that person shall be eligible;
- ii. in the case where a business entity registered within the United States possesses an ownership interest in a Unit, a natural person who resides or is employed at the Unit, and (x) who possesses an ownership interest in the entity, or (y) who is named as an officer, director, or manager of the entity in the records of the company as filed with the appropriate state, shall be eligible. Evidence of such ownership interest or position shall be required to be submitted (or resubmitted) by the entity to the Board of Trustees at their direction.
- iii. in the case where a trust, partnership, or other unregistered entity possesses an ownership interest in a Unit, a natural person who resides or is employed at the Unit and, who is a trustee, partner, or beneficiary of the entity, shall be eligible. Evidence of such position shall be

required to be submitted (or resubmitted) by the entity to the Board of Trustees at their direction.

iv. in the case where a Unit is occupied by a tenant, the tenant shall be eligible, pursuant to the following: (x) a natural person who is the tenant shall be eligible; and (y) where the tenant is an entity, a natural person who qualifies under subsections (ii) and (iii), above, shall be eligible. Additionally, the tenant shall be party to a written lease with the unit owner and the terms of said lease shall extend to a date which is not earlier than the scheduled end of the term of the trustee seat for which the tenant is running. Evidence of such lease shall be required to be submitted by the unit owner to the Board of Trustees at their direction.

(b) Where a previously elected Trustee shall no longer be eligible to serve pursuant to the requirements set forth above, the Board of Trustees shall determine that such seat shall be vacant, and shall call for the election of a successor trustee as otherwise governed by the Declaration of Trust.

2. Article 5, Section 5.22 of the Declaration of Trust is deleted in its entirety and replaced with the following new Article V, Section 5.22

Section 5.22: Officers: The principal Officers of the Trust, all of whom shall be duly elected Trustees, shall be the Chair, the Secretary, and the Treasurer, and shall be elected by the Trustees. The Chair may appoint an assistant treasurer, an assistant secretary, and such other officers as in their judgment may be necessary.

3. In all other respects, the Declaration of Trust, as previously amended, is hereby ratified and affirmed.

IN WITNESS WHEREOF, as of the date first written above, the undersigned, being the duly authorized Board of Trustees of the Old School Commons Condominium Trust, hereby state under oath that Unit Owners entitled to at least fifty-one percent (51%) of the beneficial interest in the Old School Commons Condominium Trust have consented in writing to the adoption of this Amendment.

SIGNATURE PAGE TO FOLLOW

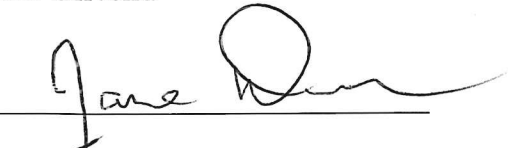
**BOARD OF TRUSTEES
OLD SCHOOL COMMONS CONDOMINIUM TRUST**



Euripedes De Oliveira



Barbara Hurley



Jane Dion



James Davin Flatten



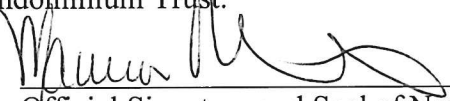
Michael Gove

COMMONWEALTH OF MASSACHUSETTS

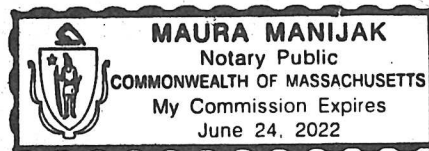
Hampshire, ss:


November 6, 2019

On this 6th day of November, 2019, before me, the undersigned notary public, personally appeared Euripedes De Oliveira, Barbara Hurley, Jane Dion, Michael Gove, and James Flatten, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the persons who signed their names on the preceding or attached document and acknowledged to me that they signed it voluntarily for its stated purpose, as the duly authorized members of the Board of Trustees of the Old School Commons Condominium Trust.



Official Signature and Seal of Notary
My Commission Expires:



ATTEST: HAMPSHIRE, , REGISTER
MAY 11 2019