

Affected Premises  
80 Musante Drive  
82 Musante Drive  
84 Musante Drive  
86 Musante Drive  
88 Musante Drive  
90 Musante Drive  
Northampton MA



2018 00000204

Bk: 12849Pg: 123 Page: 1 of 5

Recorded: 01/05/2018 10:51 AM

### **EASEMENT AGREEMENT for SOLAR PANELS**

We, Grace Simonette, Denys Candy, and Robert Meeropol, Trustees of the Westview Condominium Trust under Declaration of Trust dated December 1, 2015 and recorded in the Hampshire Registry of Deeds in Book **12142, Page 1**, as amended, created under Master Deed dated December 1, 2015 and recorded in the Hampshire Registry of Deeds in Book **12141, Page 304**, as amended, pursuant to Section 5.1 of the Declaration of Trust and pursuant to MGL c. 183A, Section 5 hereby grant to each and every Unit Owner an easement to install solar panels on the roof common area. This easement shall run with the land, benefit and bind each Unit Owner, subject to the following terms.

1. There are three buildings, each with two units, within the Westview Condominium Trust. Each Unit Owner shall have the right to install solar panels on one-half of the roof covering the building that contains their unit. [Will any type of shed or support structure need to be built to house conduits, wires, etc.? If so, the right to build such structures needs to be added]
2. The plans and specifications of the solar panel system, proof of required insurance, and notice of commencement and completion date shall be submitted in writing to the Trustees of the Westview Condominium Trust for approval prior to construction. In granting or denying approval, the Trustees shall take into consideration insurability of the Condominium property, aesthetics, any harm to other units, and any effect on property values.
3. Each Unit Owner that installs solar panels shall be responsible for all costs associated with installation of the entire system including but not limited to, the solar panels, wires, conduits, converters, meters, and appurtenant structures, and shall be responsible for obtaining all necessary government and utility permits.
4. Each Unit Owner that installs solar panels will hold the Westview Condominium Trust, its Trustees, employees, agents, and contractors harmless and indemnify same from any injuries to persons or property in connection with said installation and shall ensure that 1) no mechanics liens are placed on the Condominium property in connection with said work; 2) that all contractors are duly licensed to conduct such installation; and 3) are adequately insured for liability and workman's compensation naming the Westview Condominium Trust as an additional insured.
5. Each Unit Owner that installs solar panels, or acquires a unit that has solar panels servicing it, shall be responsible 1) for all maintenance and costs related to maintaining, repairing, replacing the entire solar panel system and related structures at their sole expense; 2) for any personal or real property assessments by the City of Northampton on account of the improvements contemplated by this Agreement; and 3) for any costs

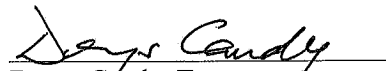
associated with repairing or replacing the roof over their unit if the roof is damaged as a direct result of the solar panels that service their respective unit.

6. The Westview Condominium Trust shall remain responsible for the costs of repairing or replacing the roof of each unit in the course of normal wear and tear or other due to other damage or casualty, however, each Unit Owner that owns a unit with solar panels on its roof shall be responsible for removing, if necessary, and reinstalling their solar panels to allow for routine roof repair and replacement by the Trust.
7. Each Unit Owner will be responsible for the removal and proper disposal of their respective solar panels and related equipment in the event said solar panels are no longer being used. After removal, the responsible Unit Owner shall restore the roof common area to the condition it was in prior to installation of the solar panels.
8. Each Unit Owner will be responsible for insuring the solar panels and equipment that service its unit. If the Trust's master insurance policy premium increases due to the installation of solar panels, the Trustees reserve the right to charge each unit owner as a special charge the additional premium attributable to each solar panel, and the cost of any deductible in the event of a covered casualty to a Unit Owner's solar panel.
9. The Westview Condominium Trust reserves the right to do necessary maintenance, repairs, replacement, or removal of solar panels and related equipment if the responsible Unit Owner does not do such maintenance, repair, replacement or removal after thirty (30) days written notice from the Trustees detailing the work required. The cost to do such maintenance, repair, replacement or removal to the Trust will be billed as a special charge to the responsible Unit Owner.

Executed as a sealed instrument this / day of January, 2018

WESTVIEW CONDOMINIUM TRUST

  
Grace Simonette, Trustee

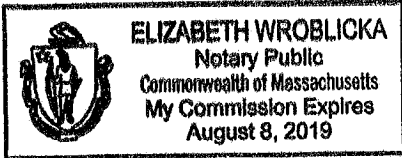
  
Denys Candy, Trustee

  
Robert Meeropol, Trustee

COMMONWEALTH OF MASSACHUSETTS

HAMPSHIRE, ss.

On this <sup>JANUARY</sup> 3 day of ~~December~~, 2018 before me, the undersigned notary public, personally appeared Grace Simonette 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 she signed it voluntarily for its stated purpose on behalf of Westview Condominium Trust.

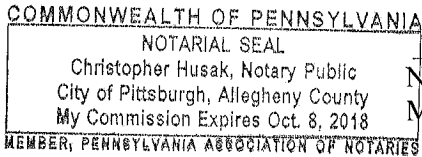


Elizabeth R. Wroblecka  
Notary Public  
My Commission Expires: 8/8/19

COMMONWEALTH OF PENNSYLVANIA

Allegheny County

On this 29<sup>th</sup> day of December, 2017, before me, the undersigned notary public, personally appeared Denys Candy proved to me through satisfactory evidence of identification, which was MA Driver's License, 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 on behalf of Westview Condominium Trust.

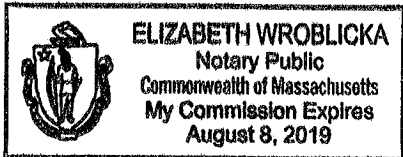


Christ Husak  
Notary Public  
My Commission Expires: Oct. 8, 2018

COMMONWEALTH OF MASSACHUSETTS

HAMPSHIRE, ss.

On this 3 day of January, 2018, before me, the undersigned notary public, personally appeared Robert Meeropol 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 on behalf of Westview Condominium Trust.



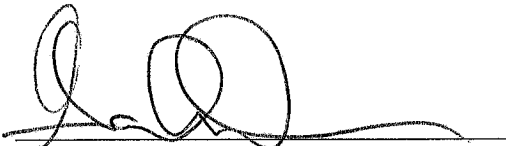
Elizabeth R. Wroblecka  
Notary Public  
My Commission Expires: 8/8/19

~~On this day of January, 2018, before me, the undersigned notary public, personally appeared Robert Meeropol proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, 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 on behalf of Westview Condominium Trust.~~

\_\_\_\_\_  
Notary Public

My Commission Expires:

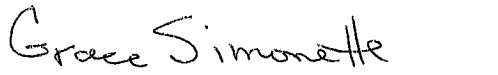
The undersigned grantees representing all of the Unit Owners of the Westview Condominium Trust hereby join in the execution of this Exclusive Easement to evidence our consent to its terms.



Gary Drimmer, 80 Musante Drive  
Drive



Candace Drimmer, 80 Musante



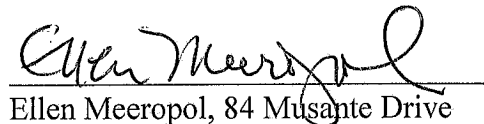
Grace Simonette, 82 Musante Drive




Gerard Simonette, 82 Musante Drive



Robert Meeropol, 84 Musante Drive



Ellen Meeropol, 84 Musante Drive



Andrew Turrett, 86 Musante Drive



Sherry Gao, 90 Musante Drive

\_\_\_\_\_  
Denys Candy, 88 Musante Drive

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Fiona Cheong, 88 Musante Drive

The undersigned grantees representing all of the Unit Owners of the Westview Condominium Trust hereby join in the execution of this Exclusive Easement to evidence our consent to its terms.

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Gary Drimmer, 80 Musante Drive

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Candace Drimmer, 80 Musante Drive

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Grace Simonette, 82 Musante Drive

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Gerard Simonette, 82 Musante Drive

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Robert Meeropol, 84 Musante Drive

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Ellen Meeropol, 84 Musante Drive

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Andrew Turrett, 86 Musante Drive

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Sherry Gao, 90 Musante Drive

Denys Candy  
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Denys Candy, 88 Musante Drive

Fiona Cheong  
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Fiona Cheong, 88 Musante Drive

ATTORNEY: HAMPSHIRE, Mary O'Rourke, REGISTERED  
MARY O'Rourke