



2023 00013557

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CERTIFICATE OF VOTE AND RESOLUTION OF THE BOARD OF TRUSTEES OF THE UPPER RIDGE CONDOMINIUM TRUST

This Certificate of Vote and Resolution is made this *first* day of *September*, 2023, by the Board of Trustees of the Upper Ridge Condominium Trust, a declaration of trust dated August 18, 2014, recorded with the Hampshire County Registry of Deeds at Book 11728, Page 278, as amended of record (the "Condominium Trust").

WHEREAS, the Condominium Trust authorizes the Board of Trustees, from time to time, to adopt, amend and rescind administrative Rules and Regulations governing the details of the operation and use of the common areas and facilities and such restrictions on and requirements respecting the use and maintenance of the units and the use of the common areas and facilities; and

WHEREAS, pursuant to the foregoing authority, the Board of Trustees has voted and resolved, by resolution of even date herewith, to update the Condominium Rules and Regulations to incorporate a Landscape Policy as set forth in detail below;

NOW THEREFORE, the Board of Trustees of the Upper Ridge Condominium Trust, acting pursuant to the authorities contained in the Condominium Trust, and every other power, does hereby resolve to amend the Condominium Rules and Regulations as follows:

1. The Rules and Regulations of the Upper Ridge Condominium are hereby amended to include the following Landscape Policy:

"LANDSCAPE POLICY FOR UPPER RIDGE ASSOCIATION

OBJECTIVE: To promote homeowner enjoyment of our community landscape and preserve property values through well designed and low maintenance plantings.

EXCLUSIVE USE AREAS: These small areas are within the boundaries designated on the Owner's plot plan at the time of purchase and are for the enjoyment of the Owner. As noted in the Governing Documents, they must be planted and maintained "in good order and appearance" by the Owner at their expense. Planting new trees is not allowed without prior Board approval.

COMMON AREAS: These areas, comprising the majority of grounds surrounding our buildings at Upper Ridge, are owned by the Association and are to be enjoyed by all Owners. They are maintained by contracted landscapers under the oversight of the property manager. Examples include spaces alongside the garages of Greek Revival Buildings A and B, the building side of the Moser Alley walkway, along the building side of Beech Tree Park, exterior areas of Eastwind and Westwind, and some exterior areas around the Duplexes and Single Homes.

CHANGES IN COMMON AREA PLANTINGS: If a Unit Owner wishes to plant, or place potted plants, in a Common Area, the Owner must submit a plan in advance by email to the Property Manager and the Chair of the Landscape Committee (a Board member). The plan should include specifics, such as species, location/placement, photos, and a plan for long term continued maintenance. The Owner should also secure in advance agreement to the plan from immediately nearby neighbors. The Owner assumes responsibility for proper maintenance and approved replacement of these plantings. Maintenance includes weeding, mulching, pruning, watering, and fertilizing. If the planted common area is in a section with no irrigation, it is important the Owner do the watering. Any sharing of these plantings are at the discretion of the planter. If the Board deems proper maintenance and care are not being provided, the Unit Owner will be required to remove the plantings at their expense.

If the property is sold, this individual landscape responsibility must be clearly understood by the new Unit Owner and put in writing to the Board. If the new Owner does not choose to accept that responsibility, the original Owner must cover the costs for the Association to substitute (with low maintenance in mind) any plantings approved by the Board.”

2. *Except as expressly set forth herein, the Rules and Regulations of the Condominium, as previously amended, are hereby ratified and affirmed.*

[Signatures Appear on the Following Page(s)]

IN WITNESS WHEREOF the Board of Trustees has executed this instrument under seal this FIRST day of September, 2023.

Nicholas Papouchis
Nicholas Papouchis, President

Larry Picard
Larry Picard, Secretary

NICHOLAS PAPOUCHIS
Print Name

LARRY PICARD
Print Name

Charles Brummer
Charles Brummer, Treasurer

Patricia Callard
Patricia Callard, Trustee

Charles Brummer
Print Name

Patricia Callard
Print Name

Sura Levine
Sura Levine, Trustee

SURA LEVINE
Print Name

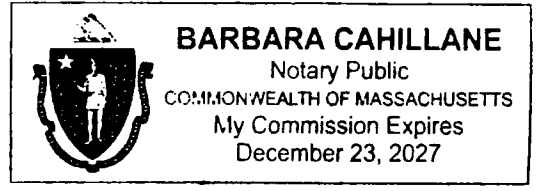
COMMONWEALTH OF MASSACHUSETTS

Hampshire, ss.

September 1, 2023

On this FIRST day of September, 2023, before me, the undersigned notary public, personally appeared all the above, proved to me through satisfactory evidence of identification, which was Massachusetts Driver's License, to be a person whose name is signed on the preceding document, and acknowledged to me that he/she signed it voluntarily for its stated purpose, as a duly authorized member of the Board of Trustees of the Upper Ridge Condominium Trust.

Barbara Cahillane
Official signature and seal of notary
My Commission Expires:



ATTEST: Mary Olberding HAMPSHIRE REGISTER
MARY OLBERDING