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SECOND AMENDMENT TO MASTER DEED OF

APPLE VALLEY CONDOMINIUM

ADDITION OF PHASE THREE

RECORDED
NORFOLK COUNTY, VIRGINIA
BOOK 8309 PAGE 538
5/16
MARK MISTRETTA
MARKET PLACE REGISTER

Mark Mistretta and John J. McHugh, Trustees of Apple Valley Real Estate Trust under Declaration of Trust dated March 12, 1985 and recorded with the Norfolk Registry of Deeds at Book 6622, Page 402 being the Declarant in the Master Deed of Apple Valley Condominium (the "Condominium"), recorded with the Norfolk Registry of Deeds in Book 8309, Page 538 (the "Master Deed"), as amended by the First Amendment to Master Deed dated June 2, 1989 and recorded with said Deeds in Book 8334, Page 284, pursuant to the right reserved in Section 17 of the Master Deed to amend the Master Deed to add additional phases, does hereby amend the Master Deed to add Phase Three as follows:

1. The references to Phase One and Two in the first paragraph of Section 2, the second paragraph of Section 6 and the fifth paragraph of Section 17(b), are hereby amended to refer to Phases One, Two and Three.

2. Section 4 is hereby amended by deleting the first four paragraphs and substituting the following:

Phases One, Two and Three. Until this Master Deed is amended to add Additional Phases, the Units of the Condominium shall be only those within the buildings included in Phases One, Two and Three. Phases One, Two and Three of the Condominium include the buildings designated Building 1, Building 2, and Building 4 (the "Buildings") on the Site Plan defined in Section 5 hereof. Building 1 is located on Lot I-2 and Building 2 is located on Lot I-9, and Building 4 is located on Lot I-7 shown on the plan entitled 'Definitive Plan "MacIntosh Farm", dated December 31, 1986 prepared by Schofield Brothers, Inc. recorded with the Norfolk Registry of Deeds as Plan 311 of 1988 in Plan Book 366 (the "Subdivision Plan"). The Buildings contain eleven units as follows:

<u>Building</u>	<u>Units</u>
Building 1	1 Apple Valley Drive
	3 Apple Valley Drive
	5 Apple Valley Drive
	7 Apple Valley Drive
Building 2	11 Apple Valley Drive
	15 Apple Valley Drive
	17 Apple Valley Drive
	19 Apple Valley Drive

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REFER TO PLAN NO. 719-1089 PL. BOOK 354
REFER TO PLAN NO. 265-1959 PL. BOOK 384

Building 4	50 Apple Valley Drive
	52 Apple Valley Drive
	54 Apple Valley Drive

The Buildings are two stories high and are of wood-frame construction with concrete foundations and asphalt or fiberglass shingle roofs.

It is anticipated that each Additional Phase shall consist of one or more of the following buildings (the "Additional Buildings") containing the units as follows:

4. Section 5 is hereby amended by deleting the first paragraph and substituting the following:

5. Floor Plans; Designation of Units and Their Boundaries. The Site Plan entitled "Site Plan - Phase 1 and 2, Apple Valley Condominium "Partial Building As-Built", Plan of Land in Sharon, Mass.", dated May 2, 1989, prepared by Schofield Brothers, Inc. recorded as Plan No. 429 of 1989 in Plan Book 380, revised to include Phase 3 as shown on a plan entitled "Site Plan - Phase Three, Apple Valley Condominium "Partial Building As-Built", Plan of Land in Sharon, Mass.", dated May 2, 1989, revised August 11, 1989, by Schofield Brothers, Inc., recorded herewith (the "Site Plans"), and the Condominium Plans entitled (i) "As-Built Floor Plan, Apple Valley Condominium 1, 3, 5, 7 Apple Valley Drive, Sharon, MA., Building I", dated April 18, 1989, prepared by MacIntosh Builders recorded as Plan No. 430 of 1989 in Plan Book 380; (ii) "As-Built Floor Plan, Apple Valley Condominium 11, 15, 17, 19 Apple Valley Drive, Sharon, MA., Building II", dated April 18, 1989, prepared by MacIntosh Builders recorded as Plan No. 511 of 1989 in Plan Book 381; and (iii) "As-Built Floor Plan, Apple Valley Condominium 50, 52, 54 Apple Valley Drive, Sharon, MA., Building IV", dated July 24, 1989, prepared by MacIntosh Builders and recorded herewith (the "Floor Plans") (collectively the "Plans"), showing the layout, location, Unit designation and dimensions of the Units, stating the addresses of the Buildings and bearing the verified statement of a registered engineer, surveyor or architect certifying that the Plans fully and accurately depict the same as built, are incorporated herein, are made a part of this Master Deed.

5. The reference to Building 4 in the second paragraph of Section 5 is hereby deleted.

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6. Exhibit E-1 is hereby amended by deleting the existing Exhibit E-1 and substituting the Exhibit E-1 attached hereto and made a part hereof.

7. Exhibit E-2 is hereby amended by deleting the references to Building 4 and Units 50, 52, and 54 Apple Valley Drive contained therein.

8. Exhibit F is hereby amended by deleting the existing Exhibit F and substituting the Exhibit F attached hereto and made a part hereof.

9. Exhibit G is hereby amended by deleting the existing Exhibit G and substituting the Exhibit G attached hereto and made a part hereof.

Except as amended, the Master Deed is in all respects ratified and confirmed.

Executed under seal this 14th day of August, 1989.

DECLARANT:

John J. McHugh, Trustee
John J. McHugh, Trustee of
Apple Valley Real Estate Trust
but not individually nor on
behalf of his beneficiaries
individually

Mark Mistretta, Trustee
Mark Mistretta, Trustee of Apple
Valley Real Estate Trust but not
individually nor on behalf of his
beneficiaries individually

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss

August 14, 1989

Then personally appeared before me the above-named John J. McHugh and Mark Mistretta and acknowledged the foregoing instrument to be their free act and deed as Trustees before me as aforesaid,

Nancy A. Shays
Notary Public

My Commission Expires 11/23/95

EXHIBIT E-1 TO MASTER DEED
APPLE VALLEY CONDOMINIUM

DESCRIPTION OF UNITS PHASE ONE, TWO and THREE

<u>Unit No.</u>	<u>Unit Type*</u>	<u>Building Number</u>	<u>Square Feet of Living Area</u>
1 Apple Valley Drive	D	1	2,112±
3 Apple Valley Drive	C	1	1,772±
5 Apple Valley Drive	C	1	1,772±
7 Apple Valley Drive	A	1	1,849±
11 Apple Valley Drive	A	2	2,101±
15 Apple Valley Drive	C	2	1,772±
17 Apple Valley Drive	C	2	1,772±
19 Apple Valley Drive	D	2	2,112±
50 Apple Valley Drive	D	4	2,099±
52 Apple Valley Drive	B	4	1,605±
54 Apple Valley Drive	A	4	1,849±

The immediate Common Area and Facilities to which each Unit has access are deck(s) and entry/stairs.

*Unit Type

- A: living room, dining room, kitchen, master bedroom, study/bedroom, loft, 2 bathrooms, some A Units have an attic as shown on the Floor Plans (Units in Building 1 also contain a crawl space and Units in Buildings 2 and 4 contain a basement)
- B: living room, dining room, kitchen/breakfast room, master bedroom, study/bedroom, 2½ bathrooms
- C: living room, dining room, kitchen/breakfast room, master bedroom, study/bedroom, 2½ bathrooms (Units in Building 1 also contain a crawl space and Units in Building 2 contain a basement)

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D: living room, dining room, kitchen/breakfast room, master bedroom, bedroom, loft, 2½ bathrooms (Units in Building 1 also contain a crawl space and Units in Buildings 2 and 4 contain a basement)

EXHIBIT F TO MASTER DEED
APPLE VALLEY CONDOMINIUM

PERCENTAGE INTEREST IN COMMON AREAS
AND FACILITIES FOR PHASES ONE, TWO and THREE

<u>Unit No.</u>	<u>Phases</u> <u>One, Two and Three</u>
<u>Phase One</u>	
1 Apple Valley Drive	10.22
3 Apple Valley Drive	8.63
5 Apple Valley Drive	8.63
7 Apple Valley Drive	9.00
<u>Phase Two</u>	
11 Apple Valley Drive	9.00
15 Apple Valley Drive	8.63
17 Apple Valley Drive	8.63
19 Apple Valley Drive	10.22

Phase Three

50 Apple Valley Drive	10.22	581
52 Apple Valley Drive	7.82	
54 Apple Valley Drive	<u>9.00</u>	
	100.00%	

It is the present intention of the Declarant to add additional Units in Additional Phases to Phase One, Phase Two and Phase Three. Declarant reserves the right to add Additional Phases in any order it so chooses and to alter the number of Units, Phases, and buildings, provided that the completed Condominium contains no more than fifty-nine (59) Units and sixteen (16) buildings.

As Additional Phases are added to the Condominium, all of the Units' percentage interests shall be determined (or redetermined as to Units already in the Condominium) by Declarant. The percentage interests will be based upon the approximate relationship that the fair market value of each Unit in the Condominium on the date of such amendment (and without regard to the then condition of said Unit) bears to the aggregate fair market value of all the Units in the Phases which are then part of the Condominium.

EXHIBIT G TO MASTER DEED
APPLE VALLEY CONDOMINIUM
PERCENTAGE INTEREST IN SPECIAL COMMON
AREAS AND FACILITIES

<u>Unit No.</u>	<u>Phases</u> <u>One, Two and Three</u>
<u>Phase One</u>	
1 Apple Valley Drive	10.22
3 Apple Valley Drive	8.63
5 Apple Valley Drive	8.63
7 Apple Valley Drive	9.00
<u>Phase Two</u>	
11 Apple Valley Drive	9.00
15 Apple Valley Drive	8.63
17 Apple Valley Drive	8.63
19 Apple Valley Drive	10.22
<u>Phase Three</u>	
50 Apple Valley Drive	10.22
52 Apple Valley Drive	7.82
54 Apple Valley Drive	<u>9.00</u>
	100.00%

The percentage interests set forth in this Exhibit will be redetermined by Declarant (i) upon the addition of Additional Phases and (ii) upon the creation of other MacIntosh Farm Condominiums, or a phase or subphase thereof, as set forth in the amendment to the Master Deed, the other master deeds or the Association By-Laws recorded when each Additional Phase or each MacIntosh Farm Condominium, or a phase or subphase thereof, is complete. The percentage interests will be based upon the approximate relationship that the fair market value of each Unit in the Condominium on the date of such amendment (and without regard to the then

condition of said Unit) bears to the aggregate fair market value of all of the units in the then existing MacIntosh Farm Condominiums.