

003088

2002 FEB -8 AM 10: 25

TWELVETH AMENDMENT

Page 1

GRAFTON COUNTY
REGISTRY OF DEEDS

TWELVETH AMENDMENT TO
DECLARATION OF MOUNTAIN RIVER EAST CONDOMINIUM

Real Estate Coordinators
340 Main St, Suite 600
Worcester, MA 01608

Review to →

BK2632 PG0432

WHEREAS, Mountain River East Condominium Association is a New Hampshire association existing under law with a principal place of business in the Town of Thornton, County of Grafton and State of New Hampshire (hereinafter referred to as "Association");

WHEREAS, there is recorded in the Grafton County Registry of Deeds a certain **Declaration of Mountain River East Condominium**, dated December 1, 1986, at Volume 1642, Page 476, later re-recorded at Volume 1650, Page 829; a certain **First Amendment** thereto dated November 4, 1987, and recorded in said Registry at Volume 1706, Page 956; a **Second Amendment** thereto dated December 23, 1987, and recorded in said Registry at Volume 1717, Page 416; a **Third Amendment** thereto dated March 7, 1988, and recorded in said Registry at Volume 1727, Page 491; a **Fourth Amendment** thereto dated June 12, 1989, and recorded in said Registry at Volume 1826, Page 758; a **Fifth amendment** thereto dated June 12, 1989, and recorded in said Registry at Volume 1826, Page 761; a **Sixth Amendment** thereto dated June 12, 1989, and recorded in said Registry at Volume 1826, Page 763; a **Corrective/Seventh Amendment** thereto dated May 27, 1995, and recorded in said Registry at Volume 2181, Page 195; An **Eighth Amendment** thereto dated May 27, 1995, and recorded in said Registry at Volume 2172, Page 705; a **Ninth Amendment** thereto dated May 15, 1997, and recorded in said Registry at Volume 2252, Page 646; and a certain **Tenth Amendment** thereto dated May 29, 1998, and recorded in said Registry at Volume 2323, Page 546; and a certain **Eleventh Amendment** thereto dated August 13, 2001, and recorded in said Registry at Volume 2572, Page 306; and a certain **Twelfth Amendment** thereto dated October 12, 2001, to be recorded herewith in the Grafton County Registry of Deeds, and as otherwise amended, together with certain site and floor plans recorded pursuant thereto (hereinafter collectively referred to as the "**Declaration**") relative to certain premises situate in the Town of Thornton, County of Grafton and State of New Hampshire; and

WHEREAS, the aforementioned **Declaration of Mountain River East Condominium**, and referring specifically to Subparagraph E of Paragraph 2, as contained therein, and New Hampshire RSA 356-B: 19 permits an assignment of certain portions of the Common Area not previously assigned as Limited Common Areas, and further permit that Limited Common Area may be reassigned to another unit or units by the execution of an Amendment to said Declaration executed by any officer or director of the Association, upon written application of the Unit Owners concerned; and

WHEREAS, Mountain River East Condominium presently consists of Common Area together with eighty (80) condominium units and certain Limited Common Areas, as described in the Declaration, as amended, and as depicted on the site and floor plans recorded pursuant thereto; and

WHEREAS, the aforementioned "Fourth Amendment to Declaration of Mountain River East Condominium", the "Fifth Amendment to Declaration of Mountain River East Condominium", the "Sixth Amendment to Declaration of Mountain River East Condominium", the "Corrective/Seventh amendment of Declaration of Mountain River East Condominium", the "Eighth Amendment to Declaration of Mountain River East Condominium", the "Ninth Amendment to Declaration of Mountain River East Condominium", and the "Tenth Amendment to Declaration of Mountain River East Condominium" and the "Eleventh Amendment to Declaration of Mountain River East Condominium" assigned as Limited Common Area, certain Garages numbered 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115 and 116 to certain Units within said Condominium as more particularly set forth in said Amendments; and

WHEREAS, due to transactions and sale that have occurred subsequent to the recording of said Amendments, certain garages require reassignment to the correct Unit.

WHEREAS, in accordance with said Declaration of Mountain River East Condominium referring specifically to Paragraph 2(E) as contained therein and to the New Hampshire Condominium Act, specifically RSA 356-B: 19 thereof, Limited Common Area may be reassigned to another unit or units by the execution of an Amendment to said Declaration executed by any officer or director of the Association upon written application of the Unit Owners concerned; and

WHEREAS, written application and the consent of the Unit Owners concerned has been obtained.

WHEREAS, through clerical error, Garage No. 105 was never conveyed from unit #58 when said unit was sold so that to remain with current owners of unit #59 whom owned both units.

NOW THEREFORE, for value received, the Declaration, as amended, is and hereby shall be further amended by the recording of the within Twelfth Amendment to the Declaration of Mountain River East Condominium, as follows:

1. That **Garage No. 105** shall be reassigned from Limited Common Area appurtenant to Unit 58, and, instead shall be Limited Common Area appurtenant to **Unit 59**, so that as of the recording of the within Amendment, there shall be as Limited Common Area appurtenant to **Unit #59, Garage No. 105.**

2. That as of the recording of the within Twelfth Amendment, a total of sixteen (16) garage/storage units shall exist within Mountain River East Condominium and shall be Limited Common Area to the Units to which they are assigned as follows:

Unit #	Garage #
10	101
8	102
5	103
3	104
59	105
49	106
69	107
36	108
26	109
50	110
67	111
42 & 72	112
62	113

52	114
56	115
61	116

IN WITNESS WHEREOF, Mountain River East Condominium Association has caused its name to be subscribed hereto by MICHAEL K. POWERS, the President of said Association, duly authorized, this 1st day of FEB., 200~~2~~².

MOUNTAIN RIVER EAST
CONDOMINIUM ASSOCIATION

Robert McNeil
Witness

By: Michael K. Powers
Michael K. Powers,
Its: President Duly Authorized

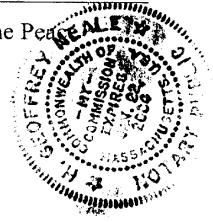
COMMONWEALTH OF MASSACHUSETTS

COUNTY OF MIDDLESEX, ss. 2/1, 200~~2~~²

BEFORE ME, the undersigned officer, personally appeared **MICHAEL K. POWERS**, who acknowledged himself to be the President of MOUNTAIN RIVER EAST CONDOMINIUM ASSOCIATION, a corporation, and that **HE**, as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by him/her self as such officer.

H. Geoffrey Neale
Notary Public/Justice of the Peace

My Commission Expires: 01/22/04



We, the Owners of the affected Units in the aforementioned Twelfth Amendment to Declaration, hereby consent and join in said Amendment upon our execution hereof:

Justin J. Shay
Witness

Barbara LeBlanc
Barbara LeBlanc
Owner, Unit 59

Antonietta Dimeo
Witness

[Signature]
Anthony Andreottola
Owner, Unit 58

Antonietta Dimeo
Witness

[Signature]
Angelo Andreottola
Owner, Unit 58

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF *Dorchester* ss.

October *24*, 2001

BEFORE ME, the undersigned officer, personally appeared the above-named **BARBARA LEBLANC**, and acknowledged the foregoing instrument to be her voluntary act and deed for the purposes therein contained.

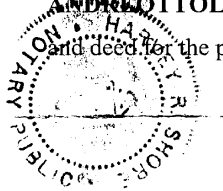
James T. Churchey
Notary Public/Justice of the Peace

JAMES T. CHURCHEY, Notary Public
My Commission Expires February 12, 2004

STATE OF Massachusetts

COUNTY OF Suffolk ss. Dec 31, 2001

BEFORE ME, the undersigned officer, personally appeared the above-named ANGELO ANDREOTTOLA and acknowledged the foregoing instrument to be his voluntary act and deed for the purposes therein contained.



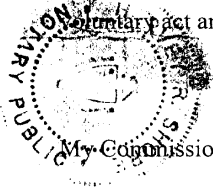
[Signature]
Notary Public/Justice of the Peace

My Commission Expires: 2/23/07

STATE OF Massachusetts

COUNTY OF Suffolk ss. Dec 31, 2001

BEFORE ME, the undersigned officer, personally appeared the above-named ANTHONY ANDREOTTOLA, and acknowledged the foregoing instrument to be his voluntary act and deed for the purposes therein contained.



[Signature]
Notary Public/Justice of the Peace

My Commission Expires: 2/23/07

Care A. Elliott, Register
GRAFTON COUNTY REGISTRY OF DEEDS