

EXHIBIT A-1

Return: #599  
J. Bradford Westgate, Esq.  
Winer and Bennett, LLP

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B 2520  
P 434

FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR  
SUMMERFIELD OF AMHERST, A CONDOMINIUM

Declarant: Etchstone Properties, Inc.  
179 Amherst Street  
Nashua, New Hampshire 03064

Location: Hollis Road (Route 122)  
Amherst, Hillsborough County, New Hampshire

Date: August 3, 2005

FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR  
SUMMERFIELD OF AMHERST, A CONDOMINIUM

THIS FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM FOR SUMMERFIELD OF AMHERST, A CONDOMINIUM is made this 3<sup>rd</sup> day of August, 2005, by Etchstone Properties, Inc., a New Hampshire corporation, with a principal place of business at 179 Amherst Street, Nashua, Hillsborough County, New Hampshire 03064 (the "Declarant").

WITNESSETH:

WHEREAS, the Declarant established Summerfield of Amherst, A Condominium situated at Hollis Road (Route 122) in Amherst, Hillsborough County, New Hampshire (the "Condominium") by Declaration of Condominium For Summerfield of Amherst, A Condominium dated April 18, 2005 and recorded with the Hillsborough County Registry of Deeds at Book 7461, Page 1035 (the "Declaration"); and

WHEREAS, the Declaration established twenty-one (21) units in its first phase (shown as Phase I or Phase 1 on the site plans for Summerfield of Amherst, A Condominium, including Hillsborough County Registry of Deeds Plan No. 34002); and

WHEREAS, the Declarant desires to declare and establish twenty-six (26) units in Phase 2 of the Condominium on a portion of the Convertible Land, and reserve the balance of the Convertible Land for subsequent phase(s) of the Condominium.

NOW, THEREFORE, pursuant to NH RSA Ch. 356-B and the Declaration, the Declarant does hereby declare and establish upon a portion of the Convertible Land of the Condominium twenty-six (26) Units of the Condominium, such Units having the numbers set forth in paragraph 1 below.

1. Units Declared on the Convertible Land. The Units declared and established by this First Amendment to Declaration of Condominium on a portion of the Convertible Land (such portion of the Convertible Land being converted hereby is shown as Phase 2 on the plan entitled "Condominium Site and Phasing Plan Tax Map Lot 2-2 Summerfield of Amherst, A Condominium" dated February 15, 2005, by Meridian Land Services, Inc., and recorded with Hillsborough County Registry of Deeds as Plan No. 34113) are Units 21 through 24 (inclusive) and Units 55 through 76 (inclusive).

2. Description of the Remainder of the Convertible Land. As a result of this instrument, the remainder of the Convertible Land is shown as Phase 3 on said Plan No. 34113 and is more particularly described in **Exhibit A-1** attached. **Exhibit A-1** attached replaces the prior version of **Exhibit A-1** of the Declaration.

3. New Exhibit D. **Exhibit D** attached supercedes and replaces the prior **Exhibit D**.

4. Limited Common Area. The Declarant hereby designates and creates Limited Common Area appurtenant to each unit referenced in **Exhibit D** attached, and reserves the right to further designate and create Limited Common Area appurtenant to each unit by executing and recording additional amendments to or supplements to **Exhibit D** attached.

5. Style of Units. The Declarant hereby reserves the right to designate the style of Units by executing and recording additional amendments to or supplements to **Exhibit D** attached hereto.

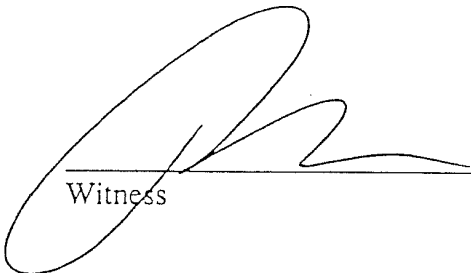
6. Subsequent Plans. The Declarant may record, from time to time, subsequent as-built site plans, floor plans and/or certificates to confirm, from time to time, when units listed in **Exhibit D** have been substantially completed.

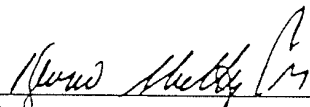
7. Reallocation of Appurtenant Undivided Interests in Common Area. The Declarant hereby reallocates the appurtenant undivided interests in the Common Area to the forty-seven (47) Units now designated on **Exhibit D** appended hereto. As a result, each Unit shall have a one-forty-seven (1/47<sup>th</sup>) undivided interest in the Common Area.

8. Units Governed by Declaration. The Units declared and established hereby shall be governed and benefited by the terms and provisions of the Declaration, as amended.

IN WITNESS WHEREOF, Etchstone Properties, Inc. has caused this First Amendment to Declaration of Condominium to be duly executed the date first set forth above.

Etchstone Properties, Inc.

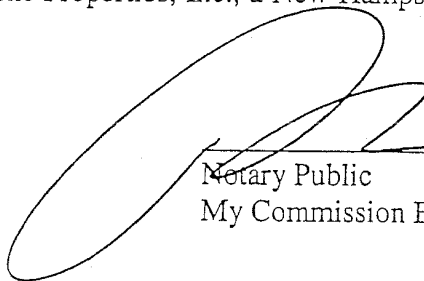
  
\_\_\_\_\_  
Witness

By:   
\_\_\_\_\_  
Kevin Slattery, President

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of August, 2005, by Kevin Slattery, President of Etchstone Properties, Inc., a New Hampshire corporation, on behalf of the corporation.



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

My Commission Expires:

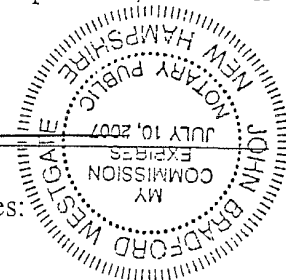


EXHIBIT A-1

CONVERTIBLE LAND

A certain tract of land situated easterly of Hollis Road (N.H. Route 122) in Amherst, Hillsborough County, New Hampshire, being shown as Phase 3 ("Convertible Land") on a plan entitled "Condominium Site and Phasing Plan Tax Map Lot 2-2 Summerfield of Amherst, A Condominium" prepared for Etchstone Properties, Inc. dated February 15, 2005, as revised, by Meridian Land Services, Inc., and recorded with Hillsborough County Registry of Deeds as Plan No. 3413, containing 20.27 acres, more or less, reference to which may be made for a more particular description.

EXHIBIT D

(revised 08/03/05)

Unit Number	Street Address	Style/Type	Allocation of Undivided Interest in Common Area*	Limited Common Area	Driveway / Walkway
1	2 Appleton Way	Briarwood	1/47	X	X
2	4 Appleton Way	Briarwood (mirrored)	1/47	X	X
3	6 Appleton Way	Avondale	1/47	X	X
4	8 Appleton Way	Briarwood	1/47	X	X
5	10 Appleton Way	Briarwood	1/47	X	X
6	12 Appleton Way	Avondale (mirrored)	1/47	X	X
7	14 Appleton Way	Briarwood	1/47	X	X
8	16 Appleton Way	Avondale	1/47	X	X
9	7 Appleton Way	Briarwood	1/47	X	X
10	5 Appleton Way	Briarwood (mirrored)	1/47	X	X
11	3 Appleton Way	Briarwood (mirrored)	1/47	X	X
12	1 Appleton Way	Birchwood (mirrored)	1/47	X	X
13	2 Elmwood Way	Briarwood	1/47	X	X
14	4 Elmwood Way	Avondale	1/47	X	X
15	6 Elmwood Way	Briarwood (mirrored)	1/47	X	X
16	9 Elmwood Way	Briarwood (mirrored)	1/47	X	X
17	7 Elmwood Way	Briarwood (mirrored)	1/47	X	X
18	5 Elmwood Way	Avondale (mirrored)	1/47	X	X
19	3 Elmwood Way	Cranfield (mirrored)	1/47	X	X
20	1 Elmwood Way	Avondale	1/47	X	X
21	2 Summerfield Way	TBD	1/47	TBD	TBD
22	4 Summerfield Way	TBD	1/47	TBD	TBD
23	6 Summerfield Way	TBD	1/47	TBD	TBD
24	8 Summerfield Way	TBD	1/47	TBD	TBD
55	2 Crystal Lane	TBD	1/47	TBD	TBD
56	4 Crystal Lane	TBD	1/47	TBD	TBD

Unit Number	Street Address	Style/Type	Allocation of Undivided Interest in Common Area*	Limited Common Area	Driveway / Walkway
57	6 Crystal Lane	TBD	1/47	TBD	TBD
58	9 Crystal Lane	TBD	1/47	TBD	TBD
59	7 Crystal Lane	TBD	1/47	TBD	TBD
60	5 Crystal Lane	TBD	1/47	TBD	TBD
61	3 Crystal Lane	TBD	1/47	TBD	TBD
62	1 Crystal Lane	TBD	1/47	TBD	TBD
63	2 Westgate Way	TBD	1/47	TBD	TBD
64	4 Westgate Way	TBD	1/47	TBD	TBD
65	6 Westgate Way	TBD	1/47	TBD	TBD
66	8 Westgate Way	TBD	1/47	TBD	TBD
67	10 Westgate Way	TBD	1/47	TBD	TBD
68	12 Westgate Way	TBD	1/47	TBD	TBD
69	14 Westgate Way	TBD	1/47	TBD	TBD
70	11 Westgate Way	Briarwood	1/47	X	X
71	9 Westgate Way	Avondale	1/47	X	X
72	7 Westgate Way	Briarwood (mirrored)	1/47	X	X
73	5 Westgate Way	Birchwood (mirrored)	1/47	X	X
74	3 Westgate Way	Avondale (mirrored)	1/47	X	X
75	1 Westgate Way	Briarwood (mirrored)	1/47	X	X
76	5 Summerfield Way	Briarwood (mirrored)	1/47	X	X
77	3 Summerfield Way	Briarwood (mirrored)	1/47	X	X

\* This allocation is subject to re-allocation upon creation of units on Convertible Land. See Section 3.2.

X means driveway and/or walkway provided, as indicated.

TBD means to be determined.

This Exhibit D may be updated and supplemented from time to time.

Return: #599  
J. Bradford Westgate, Esq.  
Winer and Bennett, LLP

EXHIBIT A-2

COPY T 1:5

#5108

B 7601  
P 1062

SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR  
SUMMERFIELD OF AMHERST, A CONDOMINIUM

Declarant: Etchstone Properties, Inc.  
179 Amherst Street  
Nashua, New Hampshire 03064

Location: Hollis Road (Route 122)  
Amherst, Hillsborough County, New Hampshire

Date: December 15, 2005

SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR  
SUMMERFIELD OF AMHERST, A CONDOMINIUM

THIS SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM FOR SUMMERFIELD OF AMHERST, A CONDOMINIUM is made this 15<sup>th</sup> day of December, 2005, by Etchstone Properties, Inc., a New Hampshire corporation, with a principal place of business at 179 Amherst Street, Nashua, Hillsborough County, New Hampshire 03064 (the "Declarant").

WITNESSETH:

WHEREAS, the Declarant established Summerfield of Amherst, A Condominium situated at Hollis Road (Route 122) in Amherst, Hillsborough County, New Hampshire (the "Condominium") by Declaration of Condominium For Summerfield of Amherst, A Condominium dated April 18, 2005 and recorded with the Hillsborough County Registry of Deeds at Book 7461, Page 1035, as amended by the First Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated August 3, 2005 and recorded with said Registry of Deeds at Book 7520, Page 434 (collectively, the "Declaration"); and

WHEREAS, the Declaration established forty-seven (47) units in its first two (2) phases; and

WHEREAS, the Declarant desires to supplement Exhibit D of the Declaration to further specify characteristics and aspects of Units 21, 22, 61, 62, 63, 64, 65 and 69 of the Condominium.

NOW, THEREFORE, pursuant to NH RSA Ch. 356-B and the Declaration, the Declarant hereby identifies the types of Units 21, 22, 61, 62, 63, 64, 65 and 69 and the limited common area appurtenant thereto by supplementing Exhibit D.

1. New Exhibit D. Exhibit D attached supercedes and replaces the prior Exhibit D.
2. Limited Common Area. The Declarant hereby designates and creates Limited Common Area appurtenant to each unit referenced in Exhibit D attached, and reserves the right to further designate and create Limited Common Area appurtenant to each unit by executing and recording additional amendments to or supplements to Exhibit D attached.
3. Style of Units. The Declarant hereby reserves the right to designate the style of Units by executing and recording additional amendments to or supplements to Exhibit D attached hereto.
4. Subsequent Plans. The Declarant may record, from time to time, subsequent as-built site plans, floor plans and/or certificates to confirm, from time to time, when units listed in Exhibit D have been substantially completed.



IN WITNESS WHEREOF, Etchstone Properties, Inc. has caused this Second Amendment to Declaration of Condominium to be duly executed the date first set forth above.

Etchstone Properties, Inc.

Alex Blanchette  
Witness

By: Kevin Slattery  
Kevin Slattery, President

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of December, 2005, by Kevin Slattery, President of Etchstone Properties, Inc., a New Hampshire corporation, on behalf of the corporation.

Monette C. Brock  
Notary Public  
My Commission Expires: 7/13/2010

EXHIBIT D

(revised 12/15/05)

Unit Number	Street Address	Style/Type	Allocation of Undivided Interest in Common Area*	Limited Common Area	Driveway / Walkway
1	2 Appleton Way	Briarwood	1/47	X	X
2	4 Appleton Way	Briarwood (mirrored)	1/47	X	X
3	6 Appleton Way	Avondale	1/47	X	X
4	8 Appleton Way	Briarwood	1/47	X	X
5	10 Appleton Way	Briarwood	1/47	X	X
6	12 Appleton Way	Avondale (mirrored)	1/47	X	X
7	14 Appleton Way	Briarwood	1/47	X	X
8	16 Appleton Way	Avondale	1/47	X	X
9	7 Appleton Way	Briarwood	1/47	X	X
10	5 Appleton Way	Briarwood (mirrored)	1/47	X	X
11	3 Appleton Way	Briarwood (mirrored)	1/47	X	X
12	1 Appleton Way	Birchwood (mirrored)	1/47	X	X
13	2 Elmwood Way	Briarwood	1/47	X	X
14	4 Elmwood Way	Avondale	1/47	X	X
15	6 Elmwood Way	Briarwood (mirrored)	1/47	X	X
16	9 Elmwood Way	Briarwood (mirrored)	1/47	X	X
17	7 Elmwood Way	Briarwood (mirrored)	1/47	X	X
18	5 Elmwood Way	Avondale (mirrored)	1/47	X	X
19	3 Elmwood Way	Cranfield (mirrored)	1/47	X	X
20	1 Elmwood Way	Avondale	1/47	X	X
21	2 Summerfield Way	Briarwood	1/47	X	X
22	4 Summerfield Way	Avondale (mirrored)	1/47	X	X
23	6 Summerfield Way	TBD	1/47	TBD	TBD
24	8 Summerfield Way	TBD	1/47	TBD	TBD
55	2 Crystal Lane	TBD	1/47	TBD	TBD
56	4 Crystal Lane	TBD	1/47	TBD	TBD

Unit Number	Street Address	Style/Type	Allocation of Undivided Interest in Common Area*	Limited Common Area	Driveway / Walkway
57	6 Crystal Lane	TBD	1/47	TBD	TBD
58	9 Crystal Lane	TBD	1/47	TBD	TBD
59	7 Crystal Lane	TBD	1/47	TBD	TBD
60	5 Crystal Lane	TBD	1/47	TBD	TBD
61	3 Crystal Lane	Briarwood	1/47	X	X
62	1 Crystal Lane	Avondale	1/47	X	X
63	2 Westgate Way	Briarwood	1/47	X	X
64	4 Westgate Way	Avondale	1/47	X	X
65	6 Westgate Way	Briarwood	1/47	X	X
66	8 Westgate Way	TBD	1/47	TBD	TBD
67	10 Westgate Way	TBD	1/47	TBD	TBD
68	12 Westgate Way	TBD	1/47	TBD	TBD
69	14 Westgate Way	Avondale (mirrored)	1/47	X	X
70	11 Westgate Way	Briarwood	1/47	X	X
71	9 Westgate Way	Avondale	1/47	X	X
72	7 Westgate Way	Briarwood (mirrored)	1/47	X	X
73	5 Westgate Way	Birchwood (mirrored)	1/47	X	X
74	3 Westgate Way	Avondale (mirrored)	1/47	X	X
75	1 Westgate Way	Briarwood (mirrored)	1/47	X	X
76	5 Summerfield Way	Briarwood (mirrored)	1/47	X	X
77	3 Summerfield Way	Briarwood (mirrored)	1/47	X	X

\* This allocation is subject to re-allocation upon creation of units on Convertible Land. See Section 3.2.

X means driveway and/or walkway provided, as indicated.

TBD means to be determined.

This Exhibit D may be updated and supplemented from time to time.

Return: #599  
J. Bradford Westgate, Esq.  
Winer and Bennett, LLP

EXHIBIT A-3

COPY

THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR  
SUMMERFIELD OF AMHERST, A CONDOMINIUM

Declarant: Etchstone Properties, Inc.  
179 Amherst Street  
Nashua, New Hampshire 03064

Location: Hollis Road (Route 122)  
Amherst, Hillsborough County, New Hampshire

Date: March 1, 2006

THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR  
SUMMERFIELD OF AMHERST, A CONDOMINIUM

THIS THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM FOR SUMMERFIELD OF AMHERST, A CONDOMINIUM is made this 1<sup>st</sup> day of March, 2006, by Etchstone Properties, Inc., a New Hampshire corporation, with a principal place of business at 179 Amherst Street, Nashua, Hillsborough County, New Hampshire 03064 (the "Declarant").

WITNESSETH:

WHEREAS, the Declarant established Summerfield of Amherst, A Condominium situated at Hollis Road (Route 122) in Amherst, Hillsborough County, New Hampshire (the "Condominium") by Declaration of Condominium For Summerfield of Amherst, A Condominium dated April 18, 2005 and recorded with the Hillsborough County Registry of Deeds at Book 7461, Page 1035, as amended by the First Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated August 3, 2005 and recorded with said Registry of Deeds at Book 7520, Page 434 and as amended by the Second Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated December 15, 2005 and recorded with said Registry of Deeds at Book 7601, Page 1062 (collectively, the "Declaration"); and

WHEREAS, the Declaration established forty-seven (47) units in the first two (2) phases of the Condominium; and

WHEREAS, the Declarant desires to supplement Exhibit D of the Declaration to further specify characteristics and aspects of Units 23 and 57 of the Condominium.

NOW, THEREFORE, pursuant to NH RSA Ch. 356-B and the Declaration, the Declarant hereby identifies the types of Units 23 and 57 and the limited common area appurtenant thereto by supplementing Exhibit D.

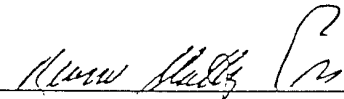
1. New Exhibit D. Exhibit D attached supercedes and replaces the prior Exhibit D.
2. Limited Common Area. The Declarant hereby designates and creates Limited Common Area appurtenant to each unit referenced in Exhibit D attached, and reserves the right to further designate and create Limited Common Area appurtenant to each unit by executing and recording additional amendments to or supplements to Exhibit D attached.
3. Style of Units. The Declarant hereby reserves the right to designate the style of Units by executing and recording additional amendments to or supplements to Exhibit D attached hereto.

4. Subsequent Plans. The Declarant may record, from time to time, subsequent as-built site plans, floor plans and/or certificates to confirm, from time to time, when units listed in Exhibit D have been substantially completed.

IN WITNESS WHEREOF, Etchstone Properties, Inc. has caused this Second Amendment to Declaration of Condominium to be duly executed the date first set forth above.

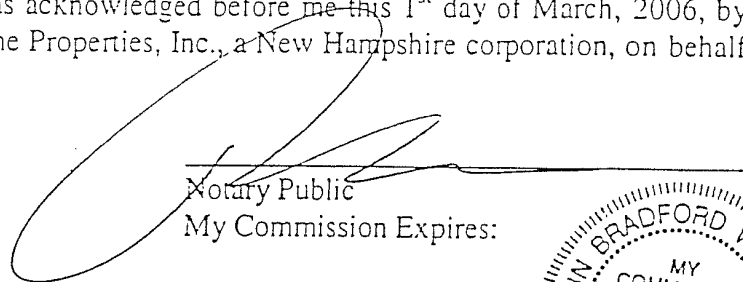
Etchstone Properties, Inc.

  
Witness

By:   
Kevin Slattery, President

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 1<sup>st</sup> day of March, 2006, by Kevin Slattery, President of Etchstone Properties, Inc., a New Hampshire corporation, on behalf of the corporation.

  
Notary Public  
My Commission Expires:

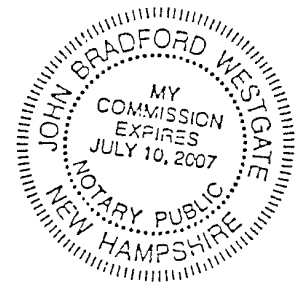


EXHIBIT D

(revised 3/1/06)

Unit Number	Street Address	Style/Type	Allocation of Undivided Interest in Common Area*	Limited Common Area Driveway / Walkway	
1	2 Appleton Way	Briarwood	1/47	X	X
2	4 Appleton Way	Briarwood (mirrored)	1/47	X	X
3	6 Appleton Way	Avondale	1/47	X	X
4	8 Appleton Way	Briarwood	1/47	X	X
5	10 Appleton Way	Briarwood	1/47	X	X
6	12 Appleton Way	Avondale (mirrored)	1/47	X	X
7	14 Appleton Way	Briarwood	1/47	X	X
8	16 Appleton Way	Avondale	1/47	X	X
9	7 Appleton Way	Briarwood	1/47	X	X
10	5 Appleton Way	Briarwood (mirrored)	1/47	X	X
11	3 Appleton Way	Briarwood (mirrored)	1/47	X	X
12	1 Appleton Way	Birchwood (mirrored)	1/47	X	X
13	2 Elmwood Way	Briarwood	1/47	X	X
14	4 Elmwood Way	Avondale	1/47	X	X
15	6 Elmwood Way	Briarwood (mirrored)	1/47	X	X
16	9 Elmwood Way	Briarwood (mirrored)	1/47	X	X
17	7 Elmwood Way	Briarwood (mirrored)	1/47	X	X
18	5 Elmwood Way	Avondale (mirrored)	1/47	X	X
19	3 Elmwood Way	Cranfield (mirrored)	1/47	X	X
20	1 Elmwood Way	Avondale	1/47	X	X
21	2 Summerfield Way	Briarwood	1/47	X	X
22	4 Summerfield Way	Avondale (mirrored)	1/47	X	X
23	6 Summerfield Way	Devonshire (mirrored)	1/47	X	X
24	8 Summerfield Way	TBD	1/47	TBD	TBD
55	2 Crystal Lane	TBD	1/47	TBD	TBD

Unit Number	Street Address	Style/Type	Allocation of Undivided Interest in Common Area*	Limited Common Area	Driveway / Walkway
56	4 Crystal Lane	TBD	1/47	TBD	TBD
57	6 Crystal Lane	Briarwood	1/47	X	X
58	9 Crystal Lane	TBD	1/47	TBD	TBD
59	7 Crystal Lane	TBD	1/47	TBD	TBD
60	5 Crystal Lane	TBD	1/47	TBD	TBD
61	3 Crystal Lane	Briarwood	1/47	X	X
62	1 Crystal Lane	Avondale	1/47	X	X
63	2 Westgate Way	Briarwood	1/47	X	X
64	4 Westgate Way	Avondale	1/47	X	X
65	6 Westgate Way	Briarwood	1/47	X	X
66	8 Westgate Way	TBD	1/47	TBD	TBD
67	10 Westgate Way	TBD	1/47	TBD	TBD
68	12 Westgate Way	TBD	1/47	TBD	TBD
69	14 Westgate Way	Avondale (mirrored)	1/47	X	X
70	11 Westgate Way	Briarwood	1/47	X	X
71	9 Westgate Way	Avondale	1/47	X	X
72	7 Westgate Way	Briarwood (mirrored)	1/47	X	X
73	5 Westgate Way	Birchwood (mirrored)	1/47	X	X
74	3 Westgate Way	Avondale (mirrored)	1/47	X	X
75	1 Westgate Way	Briarwood (mirrored)	1/47	X	X
76	5 Summerfield Way	Briarwood (mirrored)	1/47	X	X
77	3 Summerfield Way	Briarwood (mirrored)	1/47	X	X

\* This allocation is subject to re-allocation upon creation of units on Convertible Land. See Section 3.2.

X means driveway and/or walkway provided, as indicated.

TBD means to be determined.

This Exhibit D may be updated and supplemented from time to time.



Return: #599  
J. Bradford Westgate, Esq.  
Winer and Bennett, LLP

EXHIBIT A-4

B 7710  
P 1957  
COPY

FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR  
SUMMERFIELD OF AMHERST, A CONDOMINIUM

Declarant: Etchstone Properties, Inc.  
179 Amherst Street  
Nashua, New Hampshire 03064

Location: Hollis Road (Route 122)  
Amherst, Hillsborough County, New Hampshire

Date: July 20, 2006

FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR  
SUMMERFIELD OF AMHERST, A CONDOMINIUM

THIS THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM FOR SUMMERFIELD OF AMHERST, A CONDOMINIUM is made this 20<sup>th</sup> day of July, 2006, by Etchstone Properties, Inc., a New Hampshire corporation, with a principal place of business at 179 Amherst Street, Nashua, Hillsborough County, New Hampshire 03064 (the "Declarant").

WITNESSETH:

WHEREAS, the Declarant established Summerfield of Amherst, A Condominium situated at Hollis Road (Route 122) in Amherst, Hillsborough County, New Hampshire (the "Condominium") by Declaration of Condominium For Summerfield of Amherst, A Condominium dated April 18, 2005 and recorded with the Hillsborough County Registry of Deeds at Book 7461, Page 1035, as amended by the First Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated August 3, 2005 and recorded with said Registry of Deeds at Book 7520, Page 434, as amended by the Second Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated December 15, 2005 and recorded with said Registry of Deeds at Book 7601, Page 1062 and as amended by the Third Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated March 1, 2006 and recorded with said Registry of Deeds at Book 7638, Page 480 (collectively, the "Declaration"); and

WHEREAS, the Declaration established forty-seven (47) units in the first two (2) phases of the Condominium; and

WHEREAS, the Declarant desires to supplement Exhibit D of the Declaration to further specify characteristics and aspects of Units 24, 55, 56, 58 through 60, and 66 through 68 of the Condominium.

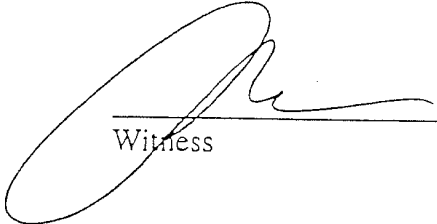
NOW, THEREFORE, pursuant to NH RSA Ch. 356-B and the Declaration, the Declarant hereby identifies the types of Units 24, 55, 56, 58 through 60, and 66 through 68 and the limited common area appurtenant thereto by supplementing Exhibit D.

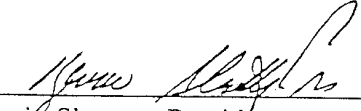
1. New Exhibit D. Exhibit D attached supercedes and replaces the prior Exhibit D.
2. Limited Common Area. The Declarant hereby designates and creates Limited Common Area appurtenant to each unit referenced in Exhibit D attached, and reserves the right to further designate and create Limited Common Area appurtenant to each unit by executing and recording additional amendments to or supplements to Exhibit D attached.
3. Style of Units. The Declarant hereby reserves the right to designate the style of Units by executing and recording additional amendments to or supplements to Exhibit D attached hereto.

4. Subsequent Plans. The Declarant may record, from time to time, subsequent as-built site plans, floor plans and/or certificates to confirm, from time to time, when units listed in Exhibit D have been substantially completed.

IN WITNESS WHEREOF, Etchstone Properties, Inc. has caused this Second Amendment to Declaration of Condominium to be duly executed the date first set forth above.

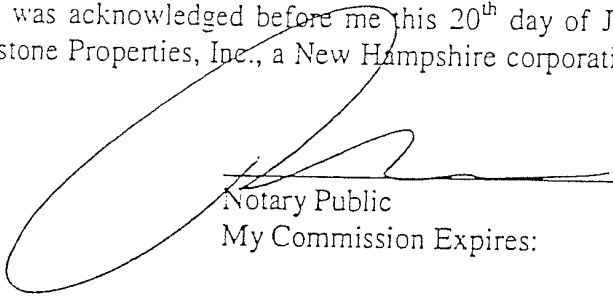
Etchstone Properties, Inc.

  
\_\_\_\_\_  
Witness

By:   
\_\_\_\_\_  
Kevin Slattery, President

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of July, 2006, by Kevin Slattery, President of Etchstone Properties, Inc., a New Hampshire corporation, on behalf of the corporation.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires:

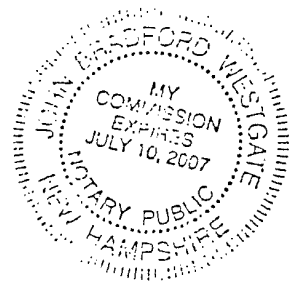


EXHIBIT D

(revised 7/20/06)

Unit Number	Street Address	Style/Type	Allocation of Undivided Interest in Common Area*	Limited Common Area	Driveway / Walkway
1	2 Appleton Way	Briarwood	1/47	X	X
2	4 Appleton Way	Briarwood (mirrored)	1/47	X	X
3	6 Appleton Way	Avondale	1/47	X	X
4	8 Appleton Way	Briarwood	1/47	X	X
5	10 Appleton Way	Briarwood	1/47	X	X
6	12 Appleton Way	Avondale (mirrored)	1/47	X	X
7	14 Appleton Way	Briarwood	1/47	X	X
8	16 Appleton Way	Avondale	1/47	X	X
9	7 Appleton Way	Briarwood	1/47	X	X
10	5 Appleton Way	Briarwood (mirrored)	1/47	X	X
11	3 Appleton Way	Briarwood (mirrored)	1/47	X	X
12	1 Appleton Way	Birchwood (mirrored)	1/47	X	X
13	2 Elmwood Way	Briarwood	1/47	X	X
14	4 Elmwood Way	Avondale	1/47	X	X
15	6 Elmwood Way	Briarwood (mirrored)	1/47	X	X
16	9 Elmwood Way	Briarwood (mirrored)	1/47	X	X
17	7 Elmwood Way	Briarwood (mirrored)	1/47	X	X
18	5 Elmwood Way	Avondale (mirrored)	1/47	X	X
19	3 Elmwood Way	Cranfield (mirrored)	1/47	X	X
20	1 Elmwood Way	Avondale	1/47	X	X
21	2 Summerfield Way	Briarwood	1/47	X	X
22	4 Summerfield Way	Avondale (mirrored)	1/47	X	X
23	6 Summerfield Way	Devonshire (mirrored)	1/47	X	X
24	8 Summerfield Way	Devonshire	1/47	X	X
55	2 Crystal Lane	Briarwood	1/47	X	X

Unit Number	Street Address	Style/Type	Allocation of Undivided Interest in Common Area*	Limited Common Area Driveway / Walkway	
56	4 Crystal Lane	Devonshire (mirrored)	1/47	X	X
57	6 Crystal Lane	Briarwood (mirrored)	1/47	X	X
58	9 Crystal Lane	Avondale	1/47	X	X
59	7 Crystal Lane	Devonshire	1/47	X	X
60	5 Crystal Lane	Devonshire (mirrored)	1/47	X	X
61	3 Crystal Lane	Briarwood	1/47	X	X
62	1 Crystal Lane	Avondale	1/47	X	X
63	2 Westgate Way	Briarwood	1/47	X	X
64	4 Westgate Way	Avondale	1/47	X	X
65	6 Westgate Way	Briarwood	1/47	X	X
66	8 Westgate Way	Devonshire (mirrored)	1/47	X	X
67	10 Westgate Way	Devonshire	1/47	X	X
68	12 Westgate Way	Avondale	1/47	X	X
69	14 Westgate Way	Avondale (mirrored)	1/47	X	X
70	11 Westgate Way	Briarwood	1/47	X	X
71	9 Westgate Way	Avondale	1/47	X	X
72	7 Westgate Way	Briarwood (mirrored)	1/47	X	X
73	5 Westgate Way	Birchwood (mirrored)	1/47	X	X
74	3 Westgate Way	Avondale (mirrored)	1/47	X	X
75	1 Westgate Way	Briarwood (mirrored)	1/47	X	X
76	5 Summerfield Way	Briarwood (mirrored)	1/47	X	X
77	3 Summerfield Way	Briarwood (mirrored)	1/47	X	X

\* This allocation is subject to re-allocation upon creation of units on Convertible Land. See Section 3.2.

X means driveway and/or walkway provided, as indicated.

TBD means to be determined.

This Exhibit D may be updated and supplemented from time to time.

Return: #599  
J. Bradford Westgate, Esq.  
Winer and Bennett, LLP

EXHIBIT A-5

rec. 11/29/06  
T 13:31/2  
# 6084360  
B 7774  
& 2608

FIFTH AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR  
SUMMERFIELD OF AMHERST, A CONDOMINIUM

Declarant: Etchstone Properties, Inc.  
179 Amherst Street  
Nashua, New Hampshire 03064

Location: Hollis Road (Route 122)  
Amherst, Hillsborough County, New Hampshire

Date: November 29, 2006

**FIFTH AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR  
SUMMERFIELD OF AMHERST, A CONDOMINIUM**

THIS FIFTH AMENDMENT TO DECLARATION OF CONDOMINIUM FOR SUMMERFIELD OF AMHERST, A CONDOMINIUM is made this 29<sup>th</sup> day of November, 2006, by Etchstone Properties, Inc., a New Hampshire corporation, with a principal place of business at 179 Amherst Street, Nashua, Hillsborough County, New Hampshire 03064 (the "Declarant").

**WITNESSETH:**

WHEREAS, the Declarant established Summerfield of Amherst, A Condominium situated at Hollis Road (Route 122) in Amherst, Hillsborough County, New Hampshire (the "Condominium") by Declaration of Condominium For Summerfield of Amherst, A Condominium dated April 18, 2005 and recorded with the Hillsborough County Registry of Deeds at Book 7461, Page 1035, as amended by the First Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated August 3, 2005 and recorded with said Registry of Deeds at Book 7520, Page 434, as amended by the Second Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated December 15, 2005 and recorded with said Registry of Deeds at Book 7601, Page 1062, as amended by the Third Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated March 1, 2006 and recorded with said Registry of Deeds at Book 7638, Page 480 and as amended by the Fourth Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated July 20, 2006 and recorded with said Registry of Deeds at Book 7710, Page 1957 (collectively, the "Declaration"); and

WHEREAS, the Declaration established forty-seven (47) units in the first two (2) phases of the Condominium; and

WHEREAS, the Declarant desires to declare and establish eighteen (18) Units in Phase 3 (a/k/a Phase III) of the Condominium on a portion of the Convertible Land and reserve the balance of the Convertible Land for subsequent phase(s) of the Condominium.

NOW, THEREFORE, pursuant to NH RSA Ch. 356-B and the Declaration, the Declarant hereby declare and establish upon a portion of the Convertible Land of the Condominium eighteen (18) Units of the Condominium, such Units having the numbers set forth in paragraph 1 below.

1. Units Declared on the Common Land. The Units declared and established by this Fifth Amendment to Declaration of Condominium on a portion of the Convertible Land, such portion of the Convertible Land being converted hereby is shown as Phase 3 on the plan entitled "Condominium Site and Phasing Plan Tax Map Lot 2-2 Summerfield of Amherst, A Condominium" by Meridian Land Services, Inc., dated February 18, 2005, revised through 11/28/06 and recorded with the Hillsborough County Registry of Deeds as Plan No. 35743, are Units 25 through 40 (inclusive) and Units 53 and 54.

2. Description of the Remainder of the Convertible Land. As a result of this instrument, the remainder of the Convertible Land is shown as Phase 4 "Convertible Land" on said Plan No. 35143 and is more particularly described on **Exhibit A-1** attached. **Exhibit A-1** attached replaces the prior version of **Exhibit A-1** of this Declaration.

3. New Exhibit D. **Exhibit D** attached hereto supersedes and replaces the prior **Exhibit D**.

4. Limited Common Area. The Declarant hereby designates and creates Limited Common Area appurtenant to each Unit referenced in **Exhibit D** attached, and reserves the right to further designate and create Limited Common Area appurtenant to each Unit (and subsequently declared Units) by executing and recording additional amendments to or supplements to **Exhibit D** attached.

5. Style of Units. The Declarant hereby reserves the right to designate the style of Units by executing and recording additional amendments to or supplements to **Exhibit D** attached hereto.

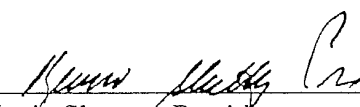
6. Subsequent Plans. The Declarant may record, from time to time, subsequent as-built site plans, floor plans and/or certificates to confirm, from time to time, when Units listed in **Exhibit D** have been substantially completed.

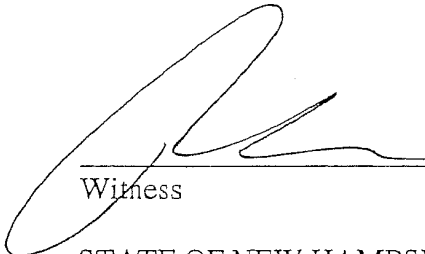
7. Reallocation of Appurtenant Undivided Interest in the Common Area. The Declarant hereby reallocates the appurtenant undivided interest in the Common Area to the sixty-five (65) Units now designated on **Exhibit D** attached hereto. As a result, each Unit shall have a one sixty-fifth (1/65<sup>th</sup>) undivided interest in the Common Area.

8. Units Governed by Declaration. The Units declared and established hereby shall be governed and benefited by the terms and provisions of the Declaration, as amended.

IN WITNESS WHEREOF, Etchstone Properties, Inc. has caused this Fifth Amendment to Declaration of Condominium to be duly executed the date first set forth above.

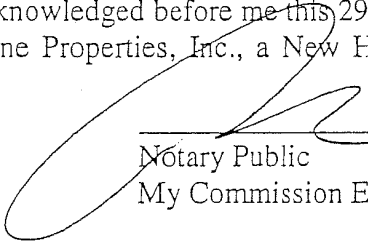
Etchstone Properties, Inc.

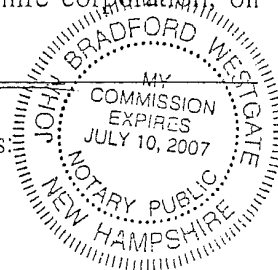
By:   
Kevin Slattery, President

  
Witness

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 29<sup>th</sup> day of November, 2006, by Kevin Slattery, President of Etchstone Properties, Inc., a New Hampshire corporation, on behalf of the corporation.

  
Notary Public  
My Commission Expires:





## EXHIBIT A-1

### Convertible Land

A certain tract of land situated easterly of Hollis Road (NH Route 122) in Amherst, Hillsborough County, New Hampshire, being shown as Phase 4 "Convertible Land" on a plan entitled "Condominium Site and Phasing Plan Tax Map Lot 2-2 Summerfield of Amherst, A Condominium" by Meridian Land Services, Inc., dated February 18, 2005, revised through 11/28/06 and recorded with the Hillsborough County Registry of Deeds as Plan No. 35143 containing 9.83 acres, more or less, reference to which Plan may be made for a more particular description.

EXHIBIT D

(revised 11/28/06)

Unit Number	Street Address	Style/Type	Allocation of Undivided Interest in Common Area*	Limited Common Area Driveway / Walkway	
1	2 Appleton Way	Briarwood	1/65	X	X
2	4 Appleton Way	Briarwood	1/65	X	X
3	6 Appleton Way	Avondale	1/65	X	X
4	8 Appleton Way	Briarwood	1/65	X	X
5	10 Appleton Way	Briarwood	1/65	X	X
6	12 Appleton Way	Avondale (mirrored)	1/65	X	X
7	14 Appleton Way	Briarwood	1/65	X	X
8	16 Appleton Way	Avondale	1/65	X	X
9	7 Appleton Way	Briarwood	1/65	X	X
10	5 Appleton Way	Briarwood (mirrored)	1/65	X	X
11	3 Appleton Way	Briarwood (mirrored)	1/65	X	X
12	1 Appleton Way	Birchwood (mirrored)	1/65	X	X
13	2 Elmwood Way	Briarwood	1/65	X	X
14	4 Elmwood Way	Avondale	1/65	X	X
15	6 Elmwood Way	Briarwood (mirrored)	1/65	X	X
16	9 Elmwood Way	Briarwood (mirrored)	1/65	X	X
17	7 Elmwood Way	Briarwood (mirrored)	1/65	X	X
18	5 Elmwood Way	Avondale (mirrored)	1/65	X	X
19	3 Elmwood Way	Cranfield (mirrored)	1/65	X	X
20	1 Elmwood Way	Avondale	1/65	X	X
21	2 Summerfield Way	Briarwood	1/65	X	X
22	4 Summerfield Way	Avondale (mirrored)	1/65	X	X
23	6 Summerfield Way	Devonshire (mirrored)	1/65	X	X
24	8 Summerfield Way	Devonshire	1/65	X	X
25	10 Summerfield Way	Devonshire	1/65	X	X

Unit Number	Street Address	Style/Type	Allocation of Undivided Interest in Common Area*	Limited Common Area Driveway / Walkway
26	12 Summerfield Way	Devonshire	1/65	X X
27	2 Beacon Lane	TBD	1/65	TBD TBD
28	4 Beacon Lane	TBD	1/65	TBD TBD
29	6 Beacon Lane	TBD	1/65	TBD TBD
30	8 Beacon Lane	Avondale	1/65	X X
31	10 Beacon Lane	TBD	1/65	TBD TBD
32	12 Beacon Lane	TBD	1/65	TBD TBD
33	13 Beacon Lane	Briarwood	1/65	X X
34	11 Beacon Lane	TBD	1/65	TBD TBD
35	9 Beacon Lane	TBD	1/65	TBD TBD
36	7 Beacon Lane	Devonshire	1/65	X X
37	5 Beacon Lane	TBD	1/65	TBD TBD
38	3 Beacon Lane	Briarwood (mirrored)	1/65	X X
39	1 Beacon Lane	TBD	1/65	TBD TBD
40	14 Summerfield Way	TBD	1/65	TBD TBD
53	9 Summerfield Way	Devonshire	1/65	X X
54	7 Summerfield Way	Avondale	1/65	X X
55	2 Crystal Lane	Briarwood	1/65	X X
56	4 Crystal Lane	Devonshire (mirrored)	1/65	X X
57	6 Crystal Lane	Briarwood (mirrored)	1/65	X X
58	9 Crystal Lane	Avondale	1/65	X X
59	7 Crystal Lane	Devonshire	1/65	X X
60	5 Crystal Lane	Devonshire (mirrored)	1/65	X X
61	3 Crystal Lane	Briarwood	1/65	X X
62	1 Crystal Lane	Avondale	1/65	X X
63	2 Westgate Way	Briarwood	1/65	X X
64	4 Westgate Way	Avondale	1/65	X X
65	6 Westgate Way	Briarwood	1/65	X X
66	8 Westgate Way	Devonshire (mirrored)	1/65	X X
67	10 Westgate Way	Devonshire	1/65	X X
68	12 Westgate Way	Avondale	1/65	X X
69	14 Westgate Way	Avondale (mirrored)	1/65	X X
70	11 Westgate Way	Briarwood	1/65	X X
71	9 Westgate Way	Avondale	1/65	X X
72	7 Westgate Way	Briarwood (mirrored)	1/65	X X

73	5 Westgate Way	Birchwood (mirrored)	1/65	X	X
74	3 Westgate Way	Avondale (mirrored)	1/65	X	X
75	1 Westgate Way	Briarwood (mirrored)	1/65	X	X
76	5 Summerfield Way	Briarwood (mirrored)	1/65	X	X
77	3 Summerfield Way	Briarwood (mirrored)	1/65	X	X

\* This allocation is subject to re-allocation upon creation of units on Convertible Land. See Section 3.2.

X means driveway and/or walkway provided, as indicated.

TBD means to be determined.

This Exhibit D may be updated and supplemented from time to time.

Return: #599  
J. Bradford Westgate, Esq.  
Winer and Bennett, LLP

**SIXTH AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR  
SUMMERFIELD OF AMHERST, A CONDOMINIUM**

Declarant: Etchstone Properties, Inc.  
179 Amherst Street  
Nashua, New Hampshire 03064

Location: Hollis Road (Route 122)  
Amherst, Hillsborough County, New Hampshire

Date: May 17, 2007

**SIXTH AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR  
SUMMERFIELD OF AMHERST, A CONDOMINIUM**

THIS SIXTH AMENDMENT TO DECLARATION OF CONDOMINIUM FOR SUMMERFIELD OF AMHERST, A CONDOMINIUM is made this 17<sup>th</sup> day of May, 2007, by Etchstone Properties, Inc., a New Hampshire corporation, with a principal place of business at 179 Amherst Street, Nashua, Hillsborough County, New Hampshire 03064 (the "Declarant").

**WITNESSETH:**

WHEREAS, the Declarant established Summerfield of Amherst, A Condominium situated at Hollis Road (Route 122) in Amherst, Hillsborough County, New Hampshire (the "Condominium") by Declaration of Condominium For Summerfield of Amherst, A Condominium dated April 18, 2005 and recorded with the Hillsborough County Registry of Deeds at Book 7461, Page 1035, as amended by the First Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated August 3, 2005 and recorded with said Registry of Deeds at Book 7520, Page 434, as amended by the Second Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated December 15, 2005 and recorded with said Registry of Deeds at Book 7601, Page 1062, as amended by the Third Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated March 1, 2006 and recorded with said Registry of Deeds at Book 7638, Page 480, as amended by the Fourth Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated July 20, 2006 and recorded with said Registry of Deeds at Book 7710, Page 1957 and as amended by the Fifth Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated November 29, 2006 and recorded with said Registry of Deeds at Book 7774, Page 2609 (collectively, the "Declaration"); and

WHEREAS, the Declaration established sixty-five (65) units in the first three (3) phases of the Condominium; and

WHEREAS, the Declarant desires to declare and establish twelve (12) Units in Phase 4 (a/k/a Phase IV) (the final phase) of the Condominium on the remainder of the Convertible Land.

NOW, THEREFORE, pursuant to NH RSA Ch. 356-B and the Declaration, the Declarant hereby declares and establishes upon the remainder of the Convertible Land of the Condominium twelve (12) Units of the Condominium, such Units having the numbers set forth in paragraph 1 below.

1. Units Declared on the Common Land. The Units declared and established by this Sixth Amendment to Declaration of Condominium on the remainder of the Convertible Land, which land being converted hereby is shown as Phase 4 on the plan entitled "Condominium Site and Phasing Plan Tax Map Lot 2-2 Summerfield of Amherst, A Condominium" by Meridian Land Services, Inc., dated February 18, 2005, revised through 5/3/07 and recorded with the Hillsborough County Registry of Deeds as Plan No. 35460, are Units 41 through 52 (inclusive).

2. Description of the Remainder of the Convertible Land. As a result of this instrument, no Convertible Land remains. **Exhibit A-1** attached replaces the prior version of **Exhibit A-1** of this Declaration.

3. New Exhibit D. **Exhibit D** attached hereto supersedes and replaces the prior **Exhibit D**.

4. Limited Common Area. The Declarant hereby designates and creates Limited Common Area appurtenant to each Unit referenced in **Exhibit D** attached (as so designated), and reserves the right to further designate and create Limited Common Area appurtenant to each Unit by executing and recording additional amendments to or supplements to **Exhibit D** attached.

5. Style of Units. The Declarant hereby reserves the right to designate the style of Units by executing and recording additional amendments to or supplements to **Exhibit D** attached hereto.

6. Subsequent Plans. The Declarant may record, from time to time, subsequent as-built site plans, floor plans and/or certificates to confirm, from time to time, when Units listed in **Exhibit D** have been substantially completed.

7. Reallocation of Appurtenant Undivided Interest in the Common Area. The Declarant hereby reallocates the appurtenant undivided interest in the Common Area to the seventy-seven (77) Units now designated on **Exhibit D** attached hereto. As a result, each Unit shall have a one seventy-seventh (1/77<sup>th</sup>) undivided interest in the Common Area.

8. Units Governed by Declaration. The Units declared and established hereby shall be governed and benefited by the terms and provisions of the Declaration, as amended.

IN WITNESS WHEREOF, Etchstone Properties, Inc. has caused this Sixth Amendment to Declaration of Condominium to be duly executed the date first set forth above.

Etchstone Properties, Inc.

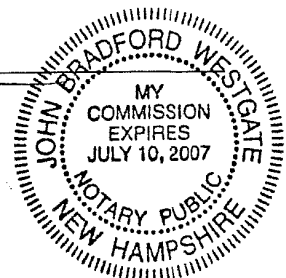
By: Kevin Slattery  
Kevin Slattery, President

Witness

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of May, 2007, by Kevin Slattery, President of Etchstone Properties, Inc., a New Hampshire corporation, on behalf of the corporation.

Notary Public  
My Commission Expires:



**EXHIBIT A-1**

**Convertible Land**

None.



**EXHIBIT D**

(revised 5/17/07)

<b>Unit Number</b>	<b>Street Address</b>	<b>Style/Type</b>	<b>Allocation of Undivided Interest in Common Area*</b>	<b>Limited Common Area</b>	
				<b>Driveway / Walkway</b>	
1	2 Appleton Way	Briarwood	1/77	X	X
2	4 Appleton Way	Briarwood (mirrored)	1/77	X	X
3	6 Appleton Way	Avondale	1/77	X	X
4	8 Appleton Way	Briarwood	1/77	X	X
5	10 Appleton Way	Briarwood	1/77	X	X
6	12 Appleton Way	Avondale (mirrored)	1/77	X	X
7	14 Appleton Way	Briarwood	1/77	X	X
8	16 Appleton Way	Avondale	1/77	X	X
9	7 Appleton Way	Briarwood	1/77	X	X
10	5 Appleton Way	Briarwood (mirrored)	1/77	X	X
11	3 Appleton Way	Briarwood (mirrored)	1/77	X	X
12	1 Appleton Way	Birchwood (mirrored)	1/77	X	X
13	2 Elmwood Way	Briarwood	1/77	X	X
14	4 Elmwood Way	Avondale	1/77	X	X
15	6 Elmwood Way	Briarwood (mirrored)	1/77	X	X
16	9 Elmwood Way	Briarwood (mirrored)	1/77	X	X
17	7 Elmwood Way	Briarwood (mirrored)	1/77	X	X
18	5 Elmwood Way	Avondale (mirrored)	1/77	X	X
19	3 Elmwood Way	Cranfield (mirrored)	1/77	X	X
20	1 Elmwood Way	Avondale	1/77	X	X
21	2 Summerfield Way	Briarwood	1/77	X	X
22	4 Summerfield Way	Avondale (mirrored)	1/77	X	X
23	6 Summerfield Way	Devonshire (mirrored)	1/77	X	X
24	8 Summerfield Way	Devonshire	1/77	X	X
25	10 Summerfield Way	Devonshire	1/77	X	X

Unit Number	Street Address	Style/Type	Allocation of Undivided Interest in Common Area*	Limited Common Area	Driveway / Walkway
26	12 Summerfield Way	Devonshire	1/77	X	X
27	2 Beacon Lane	Avondale (mirrored)	1/77	X	X
28	4 Beacon Lane	TBD	1/77	X	X
29	6 Beacon Lane	TBD	1/77	X	X
30	8 Beacon Lane	Avondale	1/77	X	X
31	10 Beacon Lane	Briarwood (mirrored)	1/77	X	X
32	12 Beacon Lane	Devonshire (mirrored)	1/77	X	X
33	13 Beacon Lane	Birchwood	1/77	X	X
34	11 Beacon Lane	Avondale	1/77	X	X
35	9 Beacon Lane	Devonshire	1/77	X	X
36	7 Beacon Lane	Devonshire	1/77	X	X
37	5 Beacon Lane	Avondale (mirrored)	1/77	X	X
38	3 Beacon Lane	Briarwood (mirrored)	1/77	X	X
39	1 Beacon Lane	TBD	1/77	X	X
40	14 Summerfield Way	Briarwood (mirrored)	1/77	X	X
41	16 Summerfield Way	TBD	1/77	X	X
42	18 Summerfield Way	TBD	1/77	X	X
43	20 Summerfield Way	TBD	1/77	X	X
44	22 Summerfield Way	TBD	1/77	X	X
45	19 Summerfield Way	TBD	1/77	X	X
46	17 Summerfield Way	TBD	1/77	X	X
47	15 Summerfield Way	TBD	1/77	X	X
48	13 Summerfield Way	TBD	1/77	X	X
49	11 Summerfield Way	TBD	1/77	X	X
50	2 Berkley Lane	TBD	1/77	X	X
51	4 Berkley Lane	Birchwood	1/77	X	X
52	6 Berkley Lane	Briarwood	1/77	X	X
53	9 Summerfield Way	Devonshire	1/77	X	X
54	7 Summerfield Way	Avondale	1/77	X	X
55	2 Crystal Lane	Briarwood	1/77	X	X
56	4 Crystal Lane	Devonshire (mirrored)	1/77	X	X
57	6 Crystal Lane	Briarwood (mirrored)	1/77	X	X
58	9 Crystal Lane	Avondale	1/77	X	X
59	7 Crystal Lane	Devonshire	1/77	X	X

Unit Number	Street Address	Style/Type	Allocation of Undivided Interest in Common Area*	Limited Common Area	Driveway / Walkway
60	5 Crystal Lane	Devonshire (mirrored)	1/77	X	X
61	3 Crystal Lane	Briarwood	1/77	X	X
62	1 Crystal Lane	Avondale	1/77	X	X
63	2 Westgate Way	Briarwood	1/77	X	X
64	4 Westgate Way	Avondale	1/77	X	X
65	6 Westgate Way	Briarwood	1/77	X	X
66	8 Westgate Way	Devonshire (mirrored)	1/77	X	X
67	10 Westgate Way	Devonshire	1/77	X	X
68	12 Westgate Way	Avondale	1/77	X	X
69	14 Westgate Way	Avondale (mirrored)	1/77	X	X
70	11 Westgate Way	Briarwood	1/77	X	X
71	9 Westgate Way	Avondale	1/77	X	X
72	7 Westgate Way	Briarwood (mirrored)	1/77	X	X
73	5 Westgate Way	Birchwood (mirrored)	1/77	X	X
74	3 Westgate Way	Avondale (mirrored)	1/77	X	X
75	1 Westgate Way	Briarwood (mirrored)	1/77	X	X
76	5 Summerfield Way	Briarwood (mirrored)	1/77	X	X
77	3 Summerfield Way	Briarwood (mirrored)	1/77	X	X

X means driveway and/or walkway provided, as indicated.

TBD means to be determined.

This Exhibit D may be updated and supplemented from time to time.

7067232

2007 OCT 22 AM 9:10

Return: #599  
J. Bradford Westgate, Esq.  
Winer and Bennett, LLP

EXHIBIT A-7

30  
2  
32

**SEVENTH AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR  
SUMMERFIELD OF AMHERST, A CONDOMINIUM**

Declarant: Etchstone Properties, Inc.  
179 Amherst Street  
Nashua, New Hampshire 03064

Location: Hollis Road (Route 122)  
Amherst, Hillsborough County, New Hampshire

Date: October 19, 2007

BK 7912PG0559

**SEVENTH AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR  
SUMMERFIELD OF AMHERST, A CONDOMINIUM**

THIS SEVENTH AMENDMENT TO DECLARATION OF CONDOMINIUM FOR SUMMERFIELD OF AMHERST, A CONDOMINIUM is made this 19<sup>th</sup> day of October, 2007, by Etchstone Properties, Inc., a New Hampshire corporation, with a principal place of business at 179 Amherst Street, Nashua, Hillsborough County, New Hampshire 03064 (the "Declarant").

**WITNESSETH:**

WHEREAS, the Declarant established Summerfield of Amherst, A Condominium situated at Hollis Road (Route 122) in Amherst, Hillsborough County, New Hampshire (the "Condominium") by Declaration of Condominium For Summerfield of Amherst, A Condominium dated April 18, 2005 and recorded with the Hillsborough County Registry of Deeds at Book 7461, Page 1035, as amended by the First Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated August 3, 2005 and recorded with said Registry of Deeds at Book 7520, Page 434, as amended by the Second Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated December 15, 2005 and recorded with said Registry of Deeds at Book 7601, Page 1062, as amended by the Third Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated March 1, 2006 and recorded with said Registry of Deeds at Book 7638, Page 480, as amended by the Fourth Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated July 20, 2006 and recorded with said Registry of Deeds at Book 7710, Page 1957, as amended by the Fifth Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated November 29, 2006 and recorded with said Registry of Deeds at Book 7774, Page 2609, and as amended by the Sixth Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated May 17, 2007 and recorded with said Registry of Deeds at Book 7849, Page 605 (collectively, the "Declaration"); and

WHEREAS, the Condominium consists of seventy-seven (77) units; and

WHEREAS, the Declarant desires to supplement **Exhibit D** of the Declaration to identify the styles and types of Units 39, 42, 44, 45, 46, 48 and 50.

NOW, THEREFORE, pursuant to NH RSA Ch. 356-B and the Declaration, the Declarant hereby identifies the styles and types of Units 39, 42, 44, 45, 46, 48 and 50 by supplementing **Exhibit D**, and undertakes the following actions:

1. New Exhibit D. **Exhibit D** attached hereto supersedes and replaces the prior **Exhibit D**.
2. Limited Common Area. The Limited Common Area appurtenant to each Unit is referenced in **Exhibit D** attached. The Declarant reserves the right to further designate and create Limited Common Area appurtenant to each Unit by executing and recording additional amendments to or supplements to **Exhibit D** attached.

BK 7912 PG 0560

3. Style and Types of Units. The Declarant hereby reserves the right to designate the styles and types of Units by executing and recording additional amendments to or supplements to **Exhibit D** attached hereto.

4. Subsequent Plans. The Declarant may record, from time to time, subsequent as-built site plans, floor plans and/or certificates to confirm, from time to time, when Units listed in **Exhibit D** have been substantially completed.

IN WITNESS WHEREOF, Etchstone Properties, Inc. has caused this Seventh Amendment to Declaration of Condominium to be duly executed the date first set forth above.

Etchstone Properties, Inc.

By: *Kevin Slattery*  
Kevin Slattery, President

*[Signature]*  
Witness

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of October, 2007, by Kevin Slattery, President of Etchstone Properties, Inc., a New Hampshire corporation, on behalf of the corporation.

*[Signature]*  
Notary Public  
My Commission Expires:



BK 7912PG0561

**EXHIBIT D**

(revised 10/19/07)

Unit Number	Street Address	Style/Type	Allocation of Undivided Interest in Common Area*	Limited Common Area	Driveway / Walkway
1	2 Appleton Way	Briarwood	1/77	X	X
2	4 Appleton Way	Briarwood	1/77	X	X
3	6 Appleton Way	Avondale	1/77	X	X
4	8 Appleton Way	Briarwood	1/77	X	X
5	10 Appleton Way	Briarwood	1/77	X	X
6	12 Appleton Way	Avondale (mirrored)	1/77	X	X
7	14 Appleton Way	Briarwood	1/77	X	X
8	16 Appleton Way	Avondale	1/77	X	X
9	7 Appleton Way	Briarwood	1/77	X	X
10	5 Appleton Way	Briarwood (mirrored)	1/77	X	X
11	3 Appleton Way	Briarwood (mirrored)	1/77	X	X
12	1 Appleton Way	Birchwood (mirrored)	1/77	X	X
13	2 Elmwood Way	Briarwood	1/77	X	X
14	4 Elmwood Way	Avondale	1/77	X	X
15	6 Elmwood Way	Briarwood (mirrored)	1/77	X	X
16	9 Elmwood Way	Briarwood (mirrored)	1/77	X	X
17	7 Elmwood Way	Briarwood (mirrored)	1/77	X	X
18	5 Elmwood Way	Avondale (mirrored)	1/77	X	X
19	3 Elmwood Way	Cranfield (mirrored)	1/77	X	X
20	1 Elmwood Way	Avondale	1/77	X	X
21	2 Summerfield Way	Briarwood	1/77	X	X
22	4 Summerfield Way	Avondale (mirrored)	1/77	X	X
23	6 Summerfield Way	Devonshire (mirrored)	1/77	X	X
24	8 Summerfield Way	Devonshire	1/77	X	X
25	10 Summerfield Way	Devonshire	1/77	X	X

BK 7912 PG 0562

Unit Number	Street Address	Style/Type	Allocation of Undivided Interest in Common Area*	Limited Common Area Driveway / Walkway
26	12 Summerfield Way	Devonshire	1/77	X X
27	2 Beacon Lane	Avondale (mirrored)	1/77	X X
28	4 Beacon Lane	TBD	1/77	X X
29	6 Beacon Lane	TBD	1/77	X X
30	8 Beacon Lane	Avondale	1/77	X X
31	10 Beacon Lane	Briarwood (mirrored)	1/77	X X
32	12 Beacon Lane	Devonshire (mirrored)	1/77	X X
33	13 Beacon Lane	Birchwood	1/77	X X
34	11 Beacon Lane	Avondale	1/77	X X
35	9 Beacon Lane	Devonshire	1/77	X X
36	7 Beacon Lane	Devonshire	1/77	X X
37	5 Beacon Lane	Avondale (mirrored)	1/77	X X
38	3 Beacon Lane	Briarwood (mirrored)	1/77	X X
39	1 Beacon Lane	Briarwood (mirrored)	1/77	X X
40	14 Summerfield Way	Briarwood (mirrored)	1/77	X X
41	16 Summerfield Way	TBD	1/77	X X
42	18 Summerfield Way	Briarwood	1/77	X X
43	20 Summerfield Way	TBD	1/77	X X
44	22 Summerfield Way	Avondale (mirrored)	1/77	X X
45	19 Summerfield Way	Avondale	1/77	X X
46	17 Summerfield Way	Avondale	1/77	X X
47	15 Summerfield Way	TBD	1/77	X X
48	13 Summerfield Way	Devonshire (mirrored)	1/77	X X
49	11 Summerfield Way	TBD	1/77	X X
50	2 Berkley Lane	Avondale (mirrored)	1/77	X X
51	4 Berkley Lane	Birchwood	1/77	X X
52	6 Berkley Lane	Briarwood	1/77	X X
53	9 Summerfield Way	Devonshire	1/77	X X
54	7 Summerfield Way	Avondale	1/77	X X
55	2 Crystal Lane	Briarwood	1/77	X X
56	4 Crystal Lane	Devonshire (mirrored)	1/77	X X

BK 7 9 1 2 PG 0 5 6 3



Unit Number	Street Address	Style/Type	Allocation of Undivided Interest in Common Area*	Limited Common Area	Driveway / Walkway
57	6 Crystal Lane	Briarwood (mirrored)	1/77	X	X
58	9 Crystal Lane	Avondale	1/77	X	X
59	7 Crystal Lane	Devonshire	1/77	X	X
60	5 Crystal Lane	Devonshire (mirrored)	1/77	X	X
61	3 Crystal Lane	Briarwood	1/77	X	X
62	1 Crystal Lane	Avondale	1/77	X	X
63	2 Westgate Way	Briarwood	1/77	X	X
64	4 Westgate Way	Avondale	1/77	X	X
65	6 Westgate Way	Briarwood	1/77	X	X
66	8 Westgate Way	Devonshire (mirrored)	1/77	X	X
67	10 Westgate Way	Devonshire	1/77	X	X
68	12 Westgate Way	Avondale	1/77	X	X
69	14 Westgate Way	Avondale (mirrored)	1/77	X	X
70	11 Westgate Way	Briarwood	1/77	X	X
71	9 Westgate Way	Avondale	1/77	X	X
72	7 Westgate Way	Briarwood (mirrored)	1/77	X	X
73	5 Westgate Way	Birchwood (mirrored)	1/77	X	X
74	3 Westgate Way	Avondale (mirrored)	1/77	X	X
75	1 Westgate Way	Briarwood (mirrored)	1/77	X	X
76	5 Summerfield Way	Briarwood (mirrored)	1/77	X	X
77	3 Summerfield Way	Briarwood (mirrored)	1/77	X	X

X means driveway and/or walkway provided, as indicated.

TBD means to be determined.

This Exhibit D may be updated and supplemented from time to time.

BK 7912PG0564

Return: #599  
J. Bradford Westgate, Esq.  
Winer and Bennett, LLP

Doc # 8021895 May 1, 2008 1:46 PM  
Book 7977 Page 0775 Page 1 of 8  
Registrar of Deeds, Hillsborough County  
*Judith A. MacDonald*

EXHIBIT A-8

**EIGHTH AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR  
SUMMERFIELD OF AMHERST, A CONDOMINIUM**

Declarant: Etchstone Properties, Inc.  
179 Amherst Street  
Nashua, New Hampshire 03064

Location: Hollis Road (Route 122)  
Amherst, Hillsborough County, New Hampshire

Date: May 1, 2008

**EIGHTH AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR  
SUMMERFIELD OF AMHERST, A CONDOMINIUM**

THIS EIGHTH AMENDMENT TO DECLARATION OF CONDOMINIUM FOR SUMMERFIELD OF AMHERST, A CONDOMINIUM is made this first day of May, 2008, by Etchstone Properties, Inc., a New Hampshire corporation, with a principal place of business at 179 Amherst Street, Nashua, Hillsborough County, New Hampshire 03064 (the "Declarant").

**WITNESSETH:**

WHEREAS, the Declarant established Summerfield of Amherst, A Condominium situated at Hollis Road (Route 122) in Amherst, Hillsborough County, New Hampshire (the "Condominium") by Declaration of Condominium For Summerfield of Amherst, A Condominium dated April 18, 2005 and recorded with the Hillsborough County Registry of Deeds at Book 7461, Page 1035, as amended by the First Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated August 3, 2005 and recorded with said Registry of Deeds at Book 7520, Page 434, as amended by the Second Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated December 15, 2005 and recorded with said Registry of Deeds at Book 7601, Page 1062, as amended by the Third Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated March 1, 2006 and recorded with said Registry of Deeds at Book 7638, Page 480, as amended by the Fourth Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated July 20, 2006 and recorded with said Registry of Deeds at Book 7710, Page 1957, as amended by the Fifth Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated November 29, 2006 and recorded with said Registry of Deeds at Book 7774, Page 2609, as amended by the Sixth Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated May 17, 2007 and recorded with said Registry of Deeds at Book 7849, Page 605, and as amended by the Seventh Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated October 19, 2007 and recorded with said Registry of Deeds at Book 7912, Page 559 (collectively, the "Declaration"); and

WHEREAS, the Condominium consists of seventy-seven (77) units; and

WHEREAS, the Declarant desires to supplement **Exhibit D** of the Declaration to identify the styles and types of Units 28, 29, 41, 43, 47 and 49 and to provide to a metes and bounds description of the Submitted Land.

NOW, THEREFORE, pursuant to NH RSA Ch. 356-B and the Declaration, the Declarant hereby identifies the styles and types of Units 28, 29, 41, 43, 47 and 49 by supplementing **Exhibit D**, provides a metes and bounds description for the Submitted Land by supplementing **Exhibit A**, and undertakes the following actions:

1. New Exhibit D. **Exhibit D** attached hereto supersedes and replaces the prior **Exhibit D**.

2. Limited Common Area. The Limited Common Area appurtenant to each Unit is referenced in **Exhibit D** attached. The Declarant reserves the right to further designate and create Limited Common Area appurtenant to each Unit by executing and recording additional amendments to or supplements to **Exhibit D** attached.

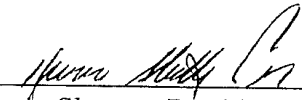
3. Style and Types of Units. The Declarant hereby reserves the right to designate the styles and types of Units by executing and recording additional amendments to or supplements to **Exhibit D** attached hereto.

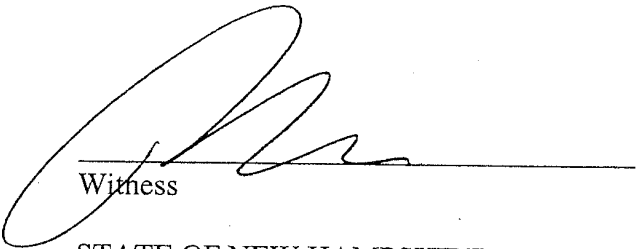
4. Subsequent Plans. The Declarant may record, from time to time, subsequent as-built site plans, floor plans and/or certificates to confirm, from time to time, when Units listed in **Exhibit D** have been substantially completed.

5. Description of Submitted Land. The Declarant hereby supplements **Exhibit A** of the Declaration by providing the metes and bounds description of the Submitted Land in **Exhibit A** attached. This **Exhibit A** attached supplements the original Exhibit A of the Declaration.

IN WITNESS WHEREOF, Etchstone Properties, Inc. has caused this Eighth Amendment to Declaration of Condominium to be duly executed the date first set forth above.

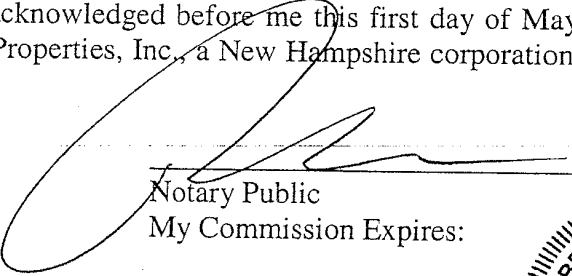
Etchstone Properties, Inc.

By:   
Kevin Slattery, President

  
Witness

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this first day of May, 2008, by Kevin Slattery, President of Etchstone Properties, Inc., a New Hampshire corporation, on behalf of the corporation.

  
Notary Public  
My Commission Expires:



## EXHIBIT A

### Submitted Land (metes and bounds)

A certain tract of land situated on the easterly side of Hollis Road (N.H. Route 122) in Amherst, Hillsborough County, New Hampshire, being shown as Lot 2-2 (inclusive of Parcel B and Parcel C but exclusive of Parcel A) on a plan entitled "Lot Line Adjustment Plan Tax Map Lots 2-2 & 2-26 Prepared for Rais-Crest, LLC and TANA Properties Limited Partnership Amherst, New Hampshire" by Meridian Land Services, Inc. dated January 6, 2003 and recorded with the Hillsborough County Registry of Deeds as Plan No. 33068 (six sheets) (the "Plan"), more particularly bounded and described as follows:

1. Beginning at a granite bound found at the southwesterly corner of the premises, on the easterly side of N.H. Route 122 (Hollis Road), said point being the northwesterly corner of land now or formerly of Douglas F. Nye (Lot 46-4) all as shown on the Plan; thence
2. N 13° 28' 21" W along the easterly side of N.H. Route 122, 142.89 feet to a point; thence
3. N 19° 20' 21" W along the easterly side of N.H. Route 122, 881.08 feet to a point; thence
4. N 20° 56' 44" W along the easterly side of N.H. Route 122, 52.86 feet to a granite bound found; thence
5. N 84° 27' 03" E, 177.25 feet to an iron pin found; thence
6. N 12° 02' 43" W, 531.15 feet to an iron pin found; thence
7. N 83° 52' 30" E, 247.58 feet to a point; thence
8. N 83° 52' 30" E, 78.00 feet, more or less, to the centerline of Peacock Brook; thence
9. Southerly, easterly, southeasterly and southerly along the centerline of Peacock Brook, 3,735 feet, more or less, to the northerly line of land now or formerly of James R. Bristol (Lot 2-1) as shown on the Plan; thence
10. S 87° 48' 25" W along land now or formerly of Bristol, 757.21 feet to an axle found; thence
11. S 87° 08' 59" W along land now or formerly of Bristol, 726.33 feet to a granite bound found; thence
12. S 82° 53' 51" W, 16.52 feet to a granite bound found; thence

13. N 83° 23' 27" W along land now or formerly of Maloney and Nye, 885.61 feet to a granite bound found at the point of beginning.

Subject to applicable easements, covenants and restrictions of record.

The premises (the Submitted Land) contains 58.29 acres, more or less, according to the Plan.

**EXHIBIT D**

(revised 5/1/08)

<b>Unit Number</b>	<b>Street Address</b>	<b>Style/Type</b>	<b>Allocation of Undivided Interest in Common Area*</b>	<b>Limited Common Area Driveway / Walkway</b>
1	2 Appleton Way	Briarwood	1/77	X X
2	4 Appleton Way	Briarwood	1/77	X X
		(mirrored)		
3	6 Appleton Way	Avondale	1/77	X X
4	8 Appleton Way	Briarwood	1/77	X X
5	10 Appleton Way	Briarwood	1/77	X X
6	12 Appleton Way	Avondale	1/77	X X
		(mirrored)		
7	14 Appleton Way	Briarwood	1/77	X X
8	16 Appleton Way	Avondale	1/77	X X
9	7 Appleton Way	Briarwood	1/77	X X
10	5 Appleton Way	Briarwood	1/77	X X
		(mirrored)		
11	3 Appleton Way	Briarwood	1/77	X X
		(mirrored)		
12	1 Appleton Way	Birchwood	1/77	X X
		(mirrored)		
13	2 Elmwood Way	Briarwood	1/77	X X
14	4 Elmwood Way	Avondale	1/77	X X
15	6 Elmwood Way	Briarwood	1/77	X X
		(mirrored)		
16	9 Elmwood Way	Briarwood	1/77	X X
		(mirrored)		
17	7 Elmwood Way	Briarwood	1/77	X X
		(mirrored)		
18	5 Elmwood Way	Avondale	1/77	X X
		(mirrored)		
19	3 Elmwood Way	Cranfield	1/77	X X
		(mirrored)		
20	1 Elmwood Way	Avondale	1/77	X X
21	2 Summerfield Way	Briarwood	1/77	X X
22	4 Summerfield Way	Avondale	1/77	X X
		(mirrored)		
23	6 Summerfield Way	Devonshire	1/77	X X
		(mirrored)		
24	8 Summerfield Way	Devonshire	1/77	X X
25	10 Summerfield Way	Devonshire	1/77	X X

Unit Number	Street Address	Style/Type	Allocation of Undivided Interest in Common Area*	Limited Common Area	Driveway / Walkway
26	12 Summerfield Way	Devonshire	1/77	X	X
27	2 Beacon Lane	Avondale (mirrored)	1/77	X	X
28	4 Beacon Lane	Devonshire	1/77	X	X
29	6 Beacon Lane	Briarwood (mirrored)	1/77	X	X
30	8 Beacon Lane	Avondale	1/77	X	X
31	10 Beacon Lane	Briarwood (mirrored)	1/77	X	X
32	12 Beacon Lane	Devonshire (mirrored)	1/77	X	X
33	13 Beacon Lane	Birchwood	1/77	X	X
34	11 Beacon Lane	Avondale	1/77	X	X
35	9 Beacon Lane	Devonshire	1/77	X	X
36	7 Beacon Lane	Devonshire	1/77	X	X
37	5 Beacon Lane	Avondale (mirrored)	1/77	X	X
38	3 Beacon Lane	Briarwood (mirrored)	1/77	X	X
39	1 Beacon Lane	Briarwood (mirrored)	1/77	X	X
40	14 Summerfield Way	Briarwood (mirrored)	1/77	X	X
41	16 Summerfield Way	Devonshire (mirrored)	1/77	X	X
42	18 Summerfield Way	Briarwood	1/77	X	X
43	20 Summerfield Way	Avondale	1/77	X	X
44	22 Summerfield Way	Avondale (mirrored)	1/77	X	X
45	19 Summerfield Way	Avondale	1/77	X	X
46	17 Summerfield Way	Avondale	1/77	X	X
47	15 Summerfield Way	Briarwood (mirrored)	1/77	X	X
48	13 Summerfield Way	Devonshire (mirrored)	1/77	X	X
49	11 Summerfield Way	Devonshire	1/77	X	X
50	2 Berkley Lane	Avondale (mirrored)	1/77	X	X
51	4 Berkley Lane	Birchwood	1/77	X	X
52	6 Berkley Lane	Briarwood	1/77	X	X
53	9 Summerfield Way	Devonshire	1/77	X	X
54	7 Summerfield Way	Avondale	1/77	X	X
55	2 Crystal Lane	Briarwood	1/77	X	X



Unit Number	Street Address	Style/Type	Allocation of Undivided Interest in Common Area*	Limited Common Area Driveway / Walkway	
56	4 Crystal Lane	Devonshire (mirrored)	1/77	X	X
57	6 Crystal Lane	Briarwood (mirrored)	1/77	X	X
58	9 Crystal Lane	Avondale	1/77	X	X
59	7 Crystal Lane	Devonshire	1/77	X	X
60	5 Crystal Lane	Devonshire (mirrored)	1/77	X	X
61	3 Crystal Lane	Briarwood	1/77	X	X
62	1 Crystal Lane	Avondale	1/77	X	X
63	2 Westgate Way	Briarwood	1/77	X	X
64	4 Westgate Way	Avondale	1/77	X	X
65	6 Westgate Way	Briarwood	1/77	X	X
66	8 Westgate Way	Devonshire (mirrored)	1/77	X	X
67	10 Westgate Way	Devonshire	1/77	X	X
68	12 Westgate Way	Avondale	1/77	X	X
69	14 Westgate Way	Avondale (mirrored)	1/77	X	X
70	11 Westgate Way	Briarwood	1/77	X	X
71	9 Westgate Way	Avondale	1/77	X	X
72	7 Westgate Way	Briarwood (mirrored)	1/77	X	X
73	5 Westgate Way	Birchwood (mirrored)	1/77	X	X
74	3 Westgate Way	Avondale (mirrored)	1/77	X	X
75	1 Westgate Way	Briarwood (mirrored)	1/77	X	X
76	5 Summerfield Way	Briarwood (mirrored)	1/77	X	X
77	3 Summerfield Way	Briarwood (mirrored)	1/77	X	X

X means driveway and/or walkway provided, as indicated.

TBD means to be determined.

This Exhibit D may be updated and supplemented from time to time.

EXHIBIT A-9

recorded 5/6/08  
B 7879  
P 47

**AMENDMENTS TO THE DECLARATION AND BYLAWS OF  
SUMMERFIELD OF AMHERST, A CONDOMINIUM**

REFERENCE is made to the Declaration of Condominium for Summerfield of Amherst, A Condominium by Etchstone Properties, Inc. dated April 18, 2005 and recorded with the Hillsborough County Registry of Deeds at Book 7461, Page 1036, as amended (collectively, the "Declaration").

The annual meeting of the Summerfield of Amherst Condominium Association, a New Hampshire voluntary corporation, with a current office at 179 Amherst Street, Nashua, New Hampshire 03064 (the "Association"), was held on May 5, 2008 at 50 Emerson Road, Milford, New Hampshire. A quorum of members was present. At the annual meeting, the members of the Association duly adopted the following amendments to the Declaration (including amendments to certain provisions of the Bylaws which are an exhibit to the Declaration).

**Amendment 1**

The Declaration (inclusive of the Bylaws) is amended by replacing the name "Summerfield Condominium Association" wherever it appears with the name "Summerfield of Amherst Condominium Association" including, without limitation, in Section 1.4 of the Declaration, in the heading of the Bylaws, in Article I, Section 1 of the Bylaws and in Article II, Section 1 of the Bylaws.

**Amendment 2**

Article III, Section 3 of the Bylaws is amended by replacing the number "three (3)" with the number "five (5)" in the first sentence thereof.

**Amendment 3**

Article III, Section 4 of the Bylaws is amended by (i) replacing the number "three (3)" with the number "five (5)" in the first sentence thereof and (ii) deleting the second sentence thereof and replacing the same with the following:

"The term of office of three (3) directors shall be fixed at two (2) years and the term of office of two (2) directors shall be fixed at

one (1) year, with respect to those directors elected at the first annual meeting of the Association.”

At the aforesaid annual meeting of the Association held on May 5, 2008, the owners of sixty-three (63) units of Summerfield of Amherst, A Condominium voted in favor of adopting the aforesaid amendments, which number constitutes more than two-thirds (2/3rds) of the votes in the Association, as evidenced by the Certificate of Vote appended hereto.

These Amendments shall be effective immediately upon recordation of this instrument with the Hillsborough County Registry of Deeds.

IN WITNESS WHEREOF, the Association has caused this instrument to be duly executed by its President and Treasurer this 5th day of May, 2008.

Summerfield of Amherst Condominium Association

[Signature]  
Witness  
[Signature]  
Witness

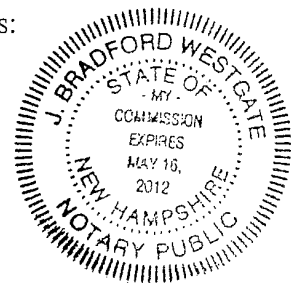
By: [Signature]  
Kevin Slattery, President

By: [Signature]  
Marcelle Sirois, Treasurer

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of May, 2008, by Kevin Slattery and Marcelle Sirois, the President and Treasurer, respectively, of Summerfield of Amherst Condominium Association, a New Hampshire voluntary corporation, on behalf of the corporation.

[Signature]  
Notary Public  
My Commission Expires:



CERTIFICATE OF VOTE

The undersigned, Secretary of Summerfield of Amherst Condominium Association, a New Hampshire voluntary corporation (the "Association"), hereby certifies that at the annual meeting of the Association held on May 5, 2008, sixty-three (63) members of the Association voted in favor of adopting amendments to (i) the Declaration (inclusive of the Bylaws) by correcting the name of the Association and (ii) Article III, Sections 3 and 4 of the Bylaws of the Association, the text of such amendments being as set forth in the instrument to which this Certificate of Vote is appended.

63 sixty-three (63) votes constitutes more than two-thirds (2/3rds) of the votes in the Association.

WITNESS my hand this 5th day of May, 2008.

[Signature]  
Witness

Diane Slattery  
Diane Slattery, Secretary

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH

Subscribed, sworn to and acknowledged before me this 5th day of May, 2008, by Diane Slattery, Secretary of Summerfield of Amherst Condominium Association.

[Signature]  
Notary Public  
My Commission Expires:



**ARTICLES OF AGREEMENT  
OF  
SUMMERFIELD OF AMHERST CONDOMINIUM ASSOCIATION**

A New Hampshire Non-Profit Organization

We, the undersigned, all being of lawful age, hereby associate together under the provisions of New Hampshire Revised Statutes Annotated, Chapter 292 by the following:

Article 1. The name of the corporation shall be:

Summerfield of Amherst Condominium Association.

FILED

OCT 14 2004

Article 2. The object for which the corporation is established is:

The corporation is established for the purpose of constituting the association of unit owners at Summerfield of Amherst, A Condominium (the "Condominium") and exercising all rights and authority granted to an association of unit owners of a condominium under New Hampshire law, including, without limitation, managing and maintaining common area, establishing rules and regulations relative to the common area and the Condominium generally, and undertaking all aspects of condominium management and operation. In addition, the corporation may engage in other acts permitted for a non-profit corporation organized under NH RSA Ch. 292, in furtherance of the purposes of an association of unit owners of a condominium

WILLIAM M. GARDNER  
NEW HAMPSHIRE  
SECRETARY OF STATE

Article 3. The provisions for establishing membership and participation in the corporation are:

Ownership of a unit at Summerfield of Amherst, A Condominium, Hollis Road (Route 122), Amherst, New Hampshire. One membership shall appertain to each unit. If more than one person is the owner of a unit, such persons collectively shall constitute but one member.

Article 4. The provisions for disposition of the corporate assets in the event of dissolution of the corporation, including prioritization of the rights of shareholders and members to corporate assets are:

In the event of dissolution of the corporation, the assets shall, in the first instance, be distributed to any successor entity which is established with the same or substantially the same purposes of the corporation. In the event there is no such successor entity, then in the event of dissolution, the assets of the corporation shall be divided into so many equal shares as there are units at the Condominium and be distributed pro-rata to the members (who constitute the owners of such units).

Article 5. The address at which the business of this corporation is to be carried on is:  
78 Summerfield Way, Amherst, New Hampshire 03031

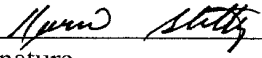
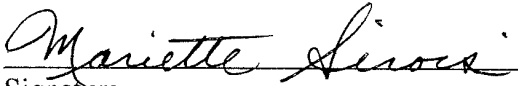
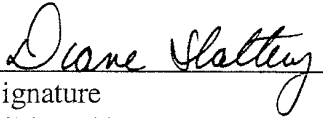
Article 6. The amount of capital stock, if any, or the numbers of shares or membership certificates, if any, and provisions for retirement, reacquisitions, and redemption of those shares or certificates are:

There shall be no capital stock of the corporation. One membership shall appertain to each unit at the Condominium. See Article 3 above.

Article 7. Provisions eliminating or limiting personal liability of a director, officer, or both, to the corporation or its shareholders for monetary damages for breach of fiduciary duty as a director, officer, or both, is:

No director or officer shall be personally liable to the corporation or its shareholders for monetary damages for breach of fiduciary duty as an officer or director, or both, except with respect to those actions listed in New Hampshire RSA 292:2V-a(1), (2), and (3).

Article 8. Signatures and post office addresses of each of the persons associating together to form the corporation:

	<u>Signatures and Name</u>	<u>Post Office Address</u>
1.	<u></u> Signature <u>Kevin Slattery</u> Name (please print)	<u>179 Amherst Street</u> Street <u>Nashua</u> <u>NH</u> <u>03064</u> City/Town                      State    Zip
2.	<u></u> Signature <u>Mariette Sirois</u> Name (please print)	<u>38 Lexington Court</u> Street <u>Hudson</u> <u>NH</u> <u>03051</u> City/Town                      State    Zip
3.	<u></u> Signature <u>Diane Slattery</u> Name (please print)	<u>54 Berkeley Street</u> Street <u>Nashua</u> <u>NH</u> <u>03064</u> City/Town                      State    Zip

4. Lillian Gamache  
Signature  
Lillian Gamache  
Name (please print)

319 Lake Street  
Street  
Nashua NH 03060  
City/Town State Zip

5. Richard A. Nixon  
Signature  
Richard A. Nixon  
Name (please print)

175B Robinson Road  
Street  
Hudson NH 03051  
City/Town State Zip

Town Clerk's office, Town of Amherst, received and recorded this 13<sup>th</sup> day of Oct., 2004.

Danielle B Cook Dept T/C  
Town Clerk's signature  
Danielle B Cook Dept T/C  
Town Clerk's Name (Please Print)

NOTES:

1. Recording fee payable to: N.H. Secretary of State.
2. If no provisions eliminating or limiting the personal liability, insert "NONE."
3. At least five signatures are required.
4. Must be recorded with the Clerk of the City/Town of the principal place of business prior to recording with the Secretary of State (Fee payable to clerk is \$5.00).

Mail \$25.00 STATE FEE and DUPLICATE ORIGINALS (ORIGINAL SIGNATURES ON BOTH) to: Secretary of State, State House, Room 204, 107 North Main Street, Concord, NH 03301-4989.

*Declarant*

Doc # 4019443 Jun 2, 2014 12:01 PM  
Book 8663 Page 2745 Page 1 of 4  
Register of Deeds, Hillsborough County  
*Camela D Coughlin*

Note: This is Exhibit A-11, Amendment 4 to the Summerfield of Amherst  
Condominium Association Bylaws  
This note is added by Peter W. Thomson, Treasurer of Summerfield of  
Amherst Condominium Association on 10 Feb 2016.

**AMENDMENT TO DECLARATION OF CONDOMINIUM**

**FOR**

**SUMMERFIELD OF AMHERST, A CONDOMINIUM**

Declarant: Summerfield of Amherst Condominium Association  
1 Summerfield Way  
Amherst, New Hampshire 03031

Location: Hollis Road (Route 122)  
Amherst, Hillsborough County, New Hampshire

Date: June 2, 20144



**AMENDMENT TO DECLARATION OF CONDOMINIUM**

**FOR**

**SUMMERFIELD OF AMHERST, A CONDOMINIUM**

THIS AMENDMENT TO DECLARATION OF CONDOMINIUM FOR SUMMERFIELD OF AMHERST, A CONDOMINIUM is made this 2nd day June, 2014, by Summerfield of Amherst Condominium Association, a non-profit homeowners association, located at 1 Summerfield Way, Amherst, Hillsborough County, New Hampshire 03031.

**WITNESSETH:**

WHEREAS, Summerfield of Amherst Condominium Association, duly formed and authorized, in Amherst, Hillsborough County, New Hampshire (the "Association") by Declaration of Condominium For Summerfield of Amherst, A Condominium dated April 18, 2005 and recorded with the Hillsborough County Registry of Deeds at Book 7461, Page 1035, as amended by the First Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated August 3, 2005 and recorded with said Registry of Deeds at Book 7520, Page 434, as amended by the Second Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated December 15, 2005 and recorded with said Registry of Deeds at Book 7601, Page 1062, as amended by the Third Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated March 1, 2006 and recorded with said Registry of Deeds at Book 7638, Page 480, as amended by the Fourth Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated July 20, 2006 and recorded with said Registry of Deeds at Book 7710, Page 1957, as amended by the Fifth Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated November 29, 2006 and recorded with said Registry of Deeds at Book 7774, Page 2609, and as amended by the Sixth Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated May 17, 2007 and recorded with said Registry of Deeds at Book 7849, Page 605 (collectively, the "Declaration"); and

WHEREAS, the Condominium Association consists of seventy-seven (77) units; and

WHEREAS, the Association desires to amend **Exhibit B, paragraph 1.A** of the Condominium By-Laws to clarify the nature of annual budgeted expenses and capital replacements,

NOW, THEREFORE Exhibit B (By-Laws Summerfield Condominium Association), Article III (Board of Directors) Paragraph 1 (Powers and Duties) Sub-Paragraph A (Preparation of a Proposed Annual Budget) is hereby replaced in its entirety with the following provisions as adopted by two-thirds (2/3) of the Association membership at its Annual Meeting held on February 8<sup>th</sup>, 2014:

**A. Preparation of the Annual Budget:** Upon its adoption, the budget shall establish the basis for assessing each Owner its share of the Common Expenses. The budgeted common expenses shall be comprised of all recurring and other necessary expenses required for the maintenance, upkeep, and operation of condominium property and shall include anticipated expenditures for lawn care and lawn maintenance; repairs to and replacement of condominium common property; replacement of decorative trees, plants, and shrubbery; snow removal; trash collection; common utilities; and such other professional services as may be required and customary in the upkeep and maintenance of the Condominium property. The cost for these items shall be planned for and included, at best estimates, in the annual budget and presented to the Association's membership at the Association's Annual Meeting and shall comprise the basis for the levying the annual proportional condominium fees applicable to all Association homeowners.

**1. Capital and other Non-Operating Expenditures** – Proposals for new capital items, changes to existing assets, and/or other nonrecurring expenditures for the benefit of the Association at large may be made by any homeowner and presented to the Board of Directors for consideration. Where such proposed expenditures exceed one thousand dollars (\$1,000.00) in cost or where such proposals would change the existing appearance and/or use of existing condominium property, the Board must present the proposed item or expenditure to the Association membership for their approval. A vote of two-thirds (67%) of the homeowners, or 52 votes in the affirmative, is required for the adoption of the proposal and authorization for the related expenditures.

**2. Replacement of Capital Items** – When and whereas existing Condominium assets need to be replaced, the authority and the decision to replace such existing assets shall reside with the Board of Directors, which shall have authority to expend Capital Reserves to secure the same or similar assets. In those situations where existing assets no longer serve the needs of the Association at large, the replacement of such assets shall not be automatic but shall require an affirmative vote of two-thirds (67%) of the homeowners for authorization of the replacement.

IN WITNESS WHEREOF, The Board of Summerfield of Amherst Condominium Association has caused this Amendment to Declaration of Condominium to be duly executed this 2nd day of June, 2014

For Summerfield of Amherst Condominiums



Robert P. Fregault, President  
Summerfield of Amherst Condominiums Assoc.

Witness:



Steven Nelson, Treasurer

Summerfield of Amherst Condominiums Assoc.

Summerfield of Amherst  
Condominium Association  
1 Summerfield Way  
Amherst, NH  
03031

Bernice O. Caughlin

**FIFTH AMENDMENT TO THE DECLARATION AND BYLAWS OF  
SUMMERFIELD OF AMHERST, A CONDOMINIUM**

Declarant: Summerfield of Amherst Condominium Association  
1 Summerfield Way  
Amherst, New Hampshire 03031

Location: Hollis Road (Route 122)  
Amherst, Hillsborough County, New Hampshire

Date: February 6, 2016

**FIFTH AMENDMENT TO THE DECLARATION AND BYLAWS OF  
SUMMERFIELD OF AMHERST, A CONDOMINIUM**

THIS AMENDMENT TO THE DECLARATION OF CONDOMINIUM FOR SUMMERFIELD OF AMHERST, A CONDOMINIUM is made the sixth day of February 2016 by Summerfield of Amherst Condominium Association, a non-profit homeowners association located at 1 Summerfield Way, Amherst, Hillsborough County, New Hampshire 03031.

**WITNESSETH:**

WHEREAS, Summerfield of Amherst Condominium Association, duly formed and authorized, in Amherst, Hillsborough County, New Hampshire (The "Association") by Declaration of Condominium For Summerfield of Amherst, A Condominium dated April 18, 2005 and recorded with the Hillsborough County Registry of Deeds at Book 7461, Page 1035, as amended by First Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated August 3, 2005 and recorded with said Registry of Deeds at Book 7520, Page 434, as amended by the Second Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated December 15, 2005 and recorded with said Registry of Deeds at Book 7601, Page 1062, as amended by the Third Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated March 1, 2006 and recorded with said Registry of Deeds at Book 7638, Page 480, as amended by the Fourth Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated July 20, 2006 and recorded with said Registry of Deeds at Book 7710, Page 1957, as amended by the Fifth Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated November 29, 2006 and recorded with said Registry of Deeds at Book 7774, Page 2609, and as amended by the Sixth Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated May 17, 2007 and recorded at said Registry of Deeds at Book 7849, Page 605, and as amended by the Seventh Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated October 19, 2007 and recorded at said Registry of Deeds at Book 7912, Page 559, and as amended by the Eighth Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated May 1, 2008 and recorded at said Registry of Deeds at Book 7977, Page 775, and as amended by the First through Third Amendments to Declaration and Bylaws of Summerfield of Amherst, A Condominium dated May 6, 2008 and recorded at said Registry of Deeds at Book 7979, Page 47, and as amended by the Fourth

Exhibit A-12

Amendment to Declaration and Bylaws of Summerfield of Amherst, A Condominium dated June 2, 2014 and recorded at said Registry of Deeds at Book 8663, Page 2745 (collectively, the "Declaration"); and

WHEREAS, the Condominium Association consists of seventy-seven units; and

WHEREAS, the Association desires to amend **Exhibit B, Article II, Paragraph 4 and Exhibit B, Article V, Paragraph 1A** of the Condominium Bylaws to change the date of the annual meeting and to change the fiscal year,

NOW, THEREFORE Exhibit B (Bylaws Summerfield Condominium Association) Article II (Unit Owners' Association), Paragraph 4 (Annual Meeting) is hereby replaced in its entirety with the following provisions as adopted by two-thirds (2/3) of the Association membership at its Annual Meeting held on February 6<sup>th</sup> 2016:

4. Annual Meeting. As approved in the February 6, 2016 annual meeting, future annual meetings of the Association will be held in September of each year. This will result in two annual meetings held in 2016 (February and September). Thereafter, the Board may adjust the annual meetings of the Association without requiring a change to these By-Laws. Notice of each annual meeting shall be given in accordance with the provisions of Section 6 of this Article II. This change in annual meeting will require a one-time change in the terms of office of the Directors. The two directors elected at the February 6, 2016 annual meeting will serve a term of one (1) year and seven (7) months, February 2016 through September 2017. In September 2017 these two positions will return to the normal two-year term of office. The three other directors will have their terms of office shortened to one (1) year seven (7) months running through the annual meeting held in September 2016. The three directors elected in September 2016, and every two years thereafter, will serve normal two-year terms of office.

NOW, THEREFORE Exhibit B (Bylaws Summerfield Condominium Association) Article V (Operation of the Submitted Land), Paragraph 1A (Fiscal Year) is hereby replaced in its entirety with the following provisions as adopted by two-thirds (2/3) of the Association membership at its Annual Meeting held on February 6<sup>th</sup> 2016:

1. Determination of Common Expenses and Assessments Against Owner

A. Fiscal Year. Beginning in 2016, the fiscal year of the Condominium shall consist of the twelve-month period commencing on October 1<sup>st</sup> of each year

and terminating on September 30<sup>th</sup> of the next calendar year. This will require a one-time transition fiscal year that will commence on January 1, 2016 and run through September 30, 2016. The fiscal year herein established shall be subject to change by the Board of Directors.

IN WITNESS WHEREOF, The Board of Summerfield of Amherst Condominium Association has caused this Amendment to Declaration of Condominium to be duly executed this 14 day of March 2016.

For Summerfield of Amherst Condominiums



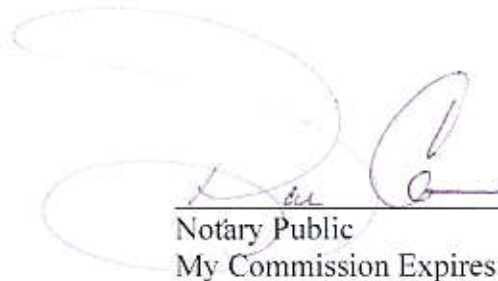
Witness  
Steven K. Nelson, President



Witness  
Peter W. Thomson, Treasurer

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 14 day of March 2016, by Steven K. Nelson and Peter W. Thomson, the President and Treasurer, respectively, of Summerfield of Amherst Condominium Association, a New Hampshire voluntary corporation, on behalf of the corporation.



Notary Public  
My Commission Expires:

**DAWN M. CONDRA, Notary Public**  
My Commission Expires December 16, 2020



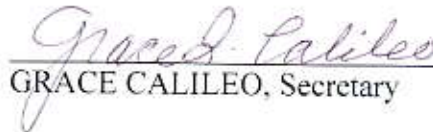
**CERTIFICATE OF VOTE**

The undersigned, Secretary of Summerfield of Amherst Condominium Association, a New Hampshire voluntary corporation (the "Association"), hereby certifies that at the annual meeting of the Association held on February 6, 2016 SIXTY-SEVEN (67) members of the Association voted in favor of adopting amendment five to Exhibit B (Bylaws Summerfield Condominium Association) Articles II and V, the text of such amendment being as set forth in the instrument to which this Certificate of Vote is appended.

Fifty-three (53) votes constitutes more than two-thirds (2/3) of the votes in the Association.


WITNESS my hand this 14 day of March 2016.

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
GRACE CALILEO, Secretary

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH

Subscribed, sworn, to and acknowledged before me this 14 day of March 2016, by Grace Calileo, Secretary of Summerfield of Amherst Condominium Association.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires:



DAWN M. CONDRA, Notary Public  
My Commission Expires December 16, 2020



*Carmela O'Caughlin*

*Return to:*

SUMMERFIELD OF AMHERST CONDOMINIUM  
ASSOCIATION  
1 SUMMERFIELD WAY  
AMHERST NH 03031

**NINTH AMENDMENT TO THE DECLARATION OF SUMMERFIELD OF  
AMHERST, A CONDOMINIUM**

**Declarant:** Summerfield of Amherst Condominium Association  
1 Summerfield Way  
Amherst, New Hampshire 03031

**Location:** Hollis Road (Route 122)  
Amherst, Hillsborough County, New Hampshire

**Date:** May 24, 2018

**NINTH AMENDMENT TO THE DECLARATION OF SUMMERFIELD OF  
AMHERST, A CONDOMINIUM**

THIS AMENDMENT TO THE DECLARATION OF CONDOMINIUM FOR SUMMERFIELD OF AMHERST, A CONDOMINIUM is made the twenty-fourth day of May 2018 by Summerfield of Amherst Condominium Association, a non-profit homeowners association located at 1 Summerfield Way, Amherst, Hillsborough County, New Hampshire 03031.

**WITNESSETH:**

WHEREAS, Summerfield of Amherst Condominium Association, duly formed and authorized, in Amherst, Hillsborough County, New Hampshire (The "Association") by Declaration of Condominium For Summerfield of Amherst, A Condominium dated April 18, 2005 and recorded with the Hillsborough County Registry of Deeds at Book 7461, Page 1035, as amended by First Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated August 3, 2005 and recorded with said Registry of Deeds at Book 7520, Page 434, as amended by the Second Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated December 15, 2005 and recorded with said Registry of Deeds at Book 7601, Page 1062, as amended by the Third Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated March 1, 2006 and recorded with said Registry of Deeds at Book 7638, Page 480, as amended by the Fourth Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated July 20, 2006 and recorded with said Registry of Deeds at Book 7710, Page 1957, as amended by the Fifth Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated November 29, 2006 and recorded with said Registry of Deeds at Book 7774, Page 2609, and as amended by the Sixth Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated May 17, 2007 and recorded at said Registry of Deeds at Book 7849, Page 605, and as amended by the Seventh Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated October 19, 2007 and recorded at said Registry of Deeds at Book 7912, Page 559, and as amended by the Eighth Amendment to Declaration of Condominium for Summerfield of Amherst, A Condominium dated May 1, 2008 and recorded at said Registry of Deeds at Book 7977, Page 775, and as amended by the First through Third

Exhibit A-13

Amendments to Declaration and Bylaws of Summerfield of Amherst, A Condominium dated May 6, 2008 and recorded at said Registry of Deeds at Book 7979, Page 47, and as amended by the Fourth Amendment to Declaration and Bylaws of Summerfield of Amherst, A Condominium dated June 2, 2014 and recorded at said Registry of Deeds at Book 8663, Page 2745 (collectively, the "Declaration"); and as amended by the Fifth Amendment to the Declaration and Bylaws of Summerfield of Amherst, A Condominium dated March 14, 2016 and recorded at said Registry of Deeds at Book 8837, Page 2570.

WHEREAS, the Condominium Association consists of seventy-seven units; and

WHEREAS, the Association desires to amend **Article 2, Paragraph 2.9** of the Condominium Declaration to allow the expansion of decks to a maximum, including existing decks, stairs and sunrooms, to 20 feet along the house and 14 out from the house.

NOW, THEREFORE, Declaration of Condominium for Summerfield of Amherst, A Condominium, Article 2, Submitted Land, Units, Common Area and Limited Common Area and Purposes, Subsection 2.9 Bedrooms and Conversion of Living Space, is hereby replaced in its entirety with the following provisions as adopted by two-thirds (2/3) of the Association membership at a Special Meeting held on May 24<sup>th</sup> 2018, as called for by a written petition submitted to the Secretary by over 30% of all owners:

**2.9 BEDROOMS AND CONVERSIONS OF LIVING SPACE.** No Unit shall contain more than two (2) bedrooms. Upon the construction of a Unit, no unheated living space shall be converted into finished living space; provided that unfinished basements may be converted into finished living space. Upon the completion of a Unit, no additions or changes to the footprints of a Unit shall occur, with the exception of deck expansion including the addition of outside stairs, and no decks or porches which, were unheated living space, shall be converted into heated living space. The footprint of decks and existing enclosed porches, including the additions of stairs, are restricted to a maximum of 20 feet in length and 14 feet in width. Any deck or outside stairs addition must be submitted to and approved by the Summerfield of Amherst Condominium Association Board of Directors and must be permitted and approved, with all necessary setbacks and ordinances, by the Town of Amherst.

IN WITNESS WHEREOF, The Board of Summerfield of Amherst Condominium Association has caused this Amendment to Declaration of Condominium to be duly executed this 28 day of November 2018.

For Summerfield of Amherst Condominiums

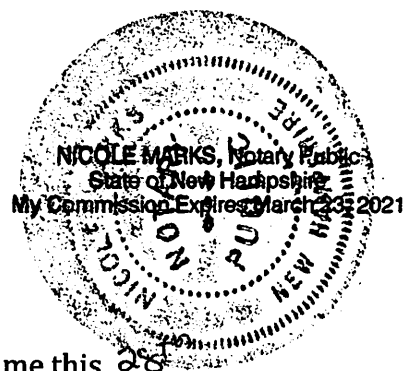


Witness  
Steven K. Nelson, President

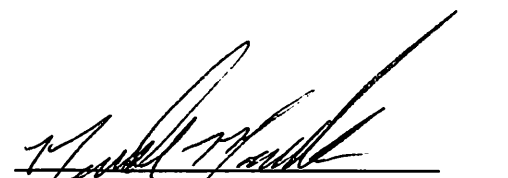


Witness  
Grace Calileo, Secretary

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH



The foregoing instrument was acknowledged before me this 28 day of November 2018, by Steven K. Nelson and Grace Calileo, the President and Secretary, respectively, of Summerfield of Amherst Condominium Association, a New Hampshire voluntary corporation, on behalf of the corporation.

  
Notary Public  
My Commission Expires: 3/23/21

**CERTIFICATE OF VOTE**

The undersigned, Secretary of Summerfield of Amherst Condominium Association, a New Hampshire voluntary corporation (the "Association"), hereby certifies that at the special meeting of the Association held on May 24, 2018, sixty-one (61) members of the Association voted in favor of adopting amendment six to the Declaration, Article 2, subsection 2.9, the text of such amendment being as set forth in the instrument to which this Certificate of Vote is appended.

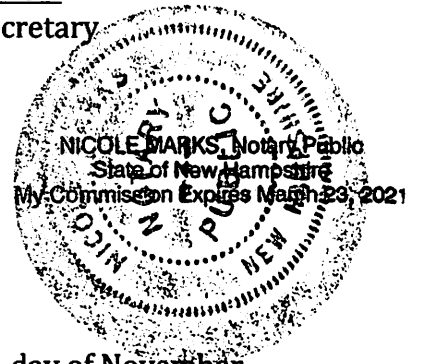
Sixty-one (61) votes constitutes more than two-thirds (2/3) of the votes in the Association.

WITNESS my hand this 28 day of November 2018.

*Amber Pica*  
Witness

*Grace Calileo*  
GRACE CALILEO, Secretary

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH



Subscribed, sworn, to and acknowledged before me this 28<sup>th</sup> day of November 2018, by Grace Calileo, Secretary of Summerfield of Amherst Condominium Association.

*Nicole Marks*  
Notary Public  
My Commission Expires: 3/23/2021