

AUDUBON HILL NORTH CONDOMINIUM**MASTER DEED****PHASE I (N-1)****SUB-PHASE-1**

This Master Deed of the Audubon Hill North Condominium made this 20th day of May, 1993. WITNESSETH that R. Smith Associates, Inc., of Acton, Middlesex county, Massachusetts, (hereinafter referred to as the "Declarant"), being the owner of Certain premises in Acton, Middlesex County, Massachusetts, hereinafter described on Schedule A, by duly executing and recording this Master Deed, does hereby submit said premises to the provisions of Chapter 183A of the General Laws of Massachusetts and by this Master Deed does create a Condominium, to be governed by and subject to the provisions of said Chapter 183A (including any amendments thereto hereafter enacted) and to that and, said Declarant does hereby declare and provide as follows:

1. NAME OF CONDOMINIUM AND DESCRIPTION OF PREMISES

The name of the Condominium shall be the Audubon Hill North Condominium. The premises which constitute the condominium comprise the land (the "Land") situated at High Street, Acton, Middlesex County, Massachusetts together with the improvements and building now existing and to be hereinafter constructed thereon (collectively, the Condominium), as shown on a plan entitled, "Audubon Hill North Condominium Acton, Mass. Plan of Lot N Phase N-1" dated April 19, 1993 to be recorded herewith, said plan being the Condominium Plans hereinafter referred to, all which are recorded herewith, said premises being bounded and described as set forth on the attached Schedule A. Said Audubon Hill North Condominium Phase I (N-1) Sub-Phase-1 consists of two (2) units (Units 101 and 103) and is the first of two sub-phases in Phase I. Phase I will consist of six (6) units and is the first phase of a three (3) phase condominium. Said Declarant reserves the right, but not the obligation, to create additional phases and sub-phases, including any part thereof as shown on the plans heretofore mentioned. When and if all Phases are completed, the condominium will contain thirty (30) units. Said Sub-phase 1 of Phase I (N-1) consists of one (1) building containing two (2) units and has access through a private road named Audubon Drive to High Street, Acton, Massachusetts, all as shown on the Condominium Plans which shows the layout, location, unit numbers and dimensions of the units as built. Said premises are submitted to the provisions of Chapter 183A and are subject to the right and easement hereby reserved by the Declarant to construct the buildings, parking areas and roadways designated as Phases II and III, as shown on the Condominium Plans hereinabove referred to. The Declarant also reserves the right to have

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The Town of Acton hereby assents to the foregoing Master Deed and certifies that this document complies with the terms, Conditions and restrictions as delineated in the Comprehensive Development Agreement, dated June 23, 1989, recorded in Book 19966, Page 008 with the Middlesex South District Registry of Deeds, as supplemented by a Supplemental Agreement dated Oct 27, 1989, recorded in Book 20205, Page 227, with said Deeds, as further supplemented by a second Supplemental Agreement dated August 26, 1991, recorded in Book 21513, Page 494, with said Deeds and as further supplemented by a Third Supplemental Agreement dated February 18, 1992, recorded in Book 21830, Page 356, with said Deeds.

**Town of Acton
Acting by and through
Its Town Manager**

Don P. Johnson

COMMONWEALTH OF MASSACHUSETTS

Middlesex County, ss

May 21, 1993

Then personally appeared the above named Don P. Johnson, Town Manager of the Town of Acton and acknowledged the foregoing to be the free act and deed of the Town of Acton, before me,

Notary Public

My Commission Expires: May 13, 1999

AUDUBON HILL, NORTH CONDOMINIUM

AUDUBON HILL, NORTH CONDOMINIUM

SCHEDULE A

That Certain parcel of land with the buildings thereon situated in Acton, Middlesex County, Massachusetts being shown an Lot N Audubon Hill, North Condominium on a plan entitled "Audubon Hill North Condominium Acton, Mass. Plan of Lot N Phase N-1" Scale 1 = 80 feet, dated April 19,1993 prepared by Jones & Beach Engineers, Inc., to be recorded herewith, said Plan being the Condominium Plan hereinbefore referred to in this Master Deed. Lot N contains 1,235,084 square feet or 28.3536 acres more or less according to said plan and to which plan reference may be had for a more complete and accurate description of the premises. Said parcel is also shown as Lot N Audubon Hill North Condominium on a plan entitled "Plan of Development Property For Audubon Hill In Acton, Mass.," dated July 17, 1989, prepared by Acton Survey & Engineering, Inc., recorded as plan No. 998 of 1989 in Book 20065, Page 415, with the Middlesex South District Registry of Deeds.

Included herein is so much or the fee in Audubon Drive as is located within Lot N as shown on the above referenced Plans.

Specifically excluded are those certain parcels of land described as Lot E Elderly Center and Lot R Recreation Center as shown on the above referenced Plans.

Said parcel of land is conveyed subject to and with the benefit of all easements rights, restrictions and agreements of record, including, but not limited to the following:

1. Development Agreement by and between PCRC Trust and the Town of Acton, dated October 9, 1989, recorded in Book 18611, Page 447 with the Middlesex South District Registry of Deeds and filed as Document No. 758064 with the Middlesex South Registry District of the Land Court as released and superceded by the Comprehensive Development Agreement and Supplemental Agreement hereinafter referenced in Item Number 6 of this Schedule A.
2. First Option Agreement by and between PCRC Trust and the Town of Acton, dated October 9, 1990, recorded in Book 18611, Page 459, said Deeds and filed as Document No. 758067, said Registry District.
3. Subordinated option Agreement by and between PCRC Trust and the Town of Acton, dated October 9, 1989, recorded in Book 18611, Page 480, said Deeds and filed as Document No. 758067, said Registry District.
4. Order of Conditions Under the Wetlands Protection Act issued by the Town of Acton Conservation Commission recorded in Book 19722, Page 505, said Deeds and filed as Document No, 795846, said Registry District.

5. Decision, Planned Conservation Residential Community Special Permit, Audubon Hill, issued by the Town of Acton Planning Board dated March 4, 1989, recorded in Book 19722, Page 511, said Deeds and filed as Document No. 795847, said Registry District.
6. Comprehensive Development Agreement by and between PCRC Trust and the Town of Acton dated June 23, 1989, recorded in Book 19966, Page 008, said Deeds and filed as Document No. 703573, said Registry District, as affected by Supplemental Agreement dated October 27, 1999, recorded in Book 20205, Page 227, said Deeds, as further supplemented by a Second Supplemental Agreement dated August 26, 1991, recorded in Book 21513, Page 494, with said Deeds and as further supplemented by a Third Supplemental Agreement dated February 18, 1992, recorded in Book 21830, Page 356, with said Deeds.
7. Audubon Hill Conservation Restriction dated August 30, 1989, recorded in Book 20065, Page 420, said Deeds.
8. Restrictive Covenant granted by R. Smith Associates, Inc to the Town of Acton dated, October 24, 1989, recorded in Book 20205, Page 234, said Deeds,
9. Easement granted by R. Smith Associates, Inc to the inhabitants of the Town of Acton, dated October 19, 1989, recorded in Book 20299, Page 505, said Deeds.
10. Audubon Hill conservation Restriction dated December 19, 1989, recorded in Book 20365, Page 317, said Deeds.
11. Terms, conditions and provisions of Massachusetts General Laws Chapter 183A, as amended.
12. Subject to the reservation of the right and obligation of the Declarant, his heirs, successor and assigns to complete the construction of the Elderly Center on that certain parcel designated as Lot E Elderly center on the hereinbefore mentioned plan and to convey the same to the Audubon Hill South Condominium Association, Inc. and the Audubon Hill North Condominium Association, Inc. (if the Audubon Hill North Condominium is created) which Associations shall lease the Elderly Center to the Town. Of Acton in accordance with the terms and conditions of the Comprehensive Development Agreement.
13. Said promises are conveyed together with the right to use that certain parcel of land shown as Lot R Recreation Center on the hereinbefore mentioned plan, subject to the rules and regulations, common charges and fees to be promulgated and in common with others lawfully entitled to use the same. The Lot R Recreation Center shall be conveyed to the Audubon Hill South Condominium Association, Inc. and the Audubon Hill North Condominium Association, Inc. (if the Audubon Hill North Condominium is created) which Associations shall be responsible for the maintenance, repairs and upkeep of the Recreation Center.

Handwritten notes:
1999
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20205
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21830
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