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Recorded: 09/12/2003

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# QUAIL RUN CONDOMINIUM

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## FOURTEENTH AMENDMENT OF MASTER DEED

REFERENCE is made to the Master Deed of Quail Run Condominium which Master Deed dated January 22, 1987 was recorded with Middlesex South District Registry of Deeds on January 28, 1987 in Book 17820, Page 242; and

WHEREAS, it is provided in Article 9 of the Master Deed that the Declarant thereof reserves the right to amend the Master Deed so as to add Phases to the Condominium and submit the same to the provisions of M.G.L. c., 183A; and

WHEREAS, the original Declarant on various occasions amended said Master Deed to include Phases 1, 2, 3, 4 and 5 thereof and constructed all of said Phases, but failed to further amend said Master Deed to provide for or construct Phase 6 and any subsequent Phases together to include the last seventeen (17) units originally contemplated by said Master Deed, and said development rights therefor expired; and

WHEREAS, the Trustees of the Quail Run Condominium Association, with proper authority from the Unit Owners and in accordance with M.G.L. Chapter 183A, amended said Master Deed by Amendment dated December 20, 1999 recorded in said Deeds in Book 31127, Page 62 thereby reviving the Development Rights in said Trustees as "Declarant" to construct an additional seventeen (17) units in various Phases; and

WHEREAS, subsequent thereto the Trustees sold the Development Rights to said seventeen (17) units to J. Thomas Devaney, Trustee of Tomaryan Realty Trust, u/d/t dated April 19, 1984 and recorded with said Deeds in Book 18806, Page 89 referred to therein as "Builder" (hereinafter "Devaney"), by Instrument of Sale, Transfer and Assignment of Plusing and

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SEE PLAN IN RECORD BOOK 10854 PAGE 419

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MARGINAL REFERENCE REQUESTED  
BOOK 17820 PAGE 242

Developer Rights dated March 18, 2002 and recorded in said Deeds in Book 35092, Page 344;  
and

WHEREAS, subsequent thereto Devaney, with the consent of the Trustees, amended said Master Deed in accordance with Article 9 of said Master Deed and the terms and conditions of the Instrument of Sale, Transfer and Assignment of Phasing and Developer's Rights, and Devaney as Builder and the owner of said Development Rights submitted the land and buildings and improvements thereon and all easement rights and appurtenances as belonging thereto to the provisions of M.G.L. Chapter 183A and created Phase 6 of Quail Run Condominium to be governed by and subject to the provisions of M.G.L. Chapter 183A by the 11th Amendment of Master Deed dated January 30, 2003 and recorded in Middlesex South District Registry of Deeds as Instrument No. 1495 of February 3, 2003, Phase 7 of Quail Run Condominium by the 12th Amendment of Master Deed dated April 14, 2003 and recorded in Middlesex South District Registry of Deeds as Instrument No. 256 of April 17, 2003, and Phase 8 of Quail Run Condominium by the 13th Amendment of Master Deed dated July 17, 2003 and recorded in Middlesex South District Registry of Deeds as Instrument No. 2405 of July 18, 2003;

NOW THEREFORE, said Master Deed as amended of record, is hereby further amended in accordance with Article 9 of said Master Deed and the terms and conditions of the Instrument of Sale, Transfer and Assignment of Phasing and Developer Rights, and Devaney, as Builder and the owner of said Development Rights, hereby submits the land and buildings and improvements thereon and all easement rights and appurtenances belonging thereto to the provisions of M.G.L. c. 183A and hereby states that he proposes to create and does hereby create with respect to said land, Phase 9 of Quail Run Condominium to be governed by and

subject to the provisions of M.G.L. c. 183A. Said Phase 9 shall be subject to and have the benefits of said Master Deed and the Trust of Quail Run Condominium, as amended.

1. Description of Buildings in Phase 9

Phase 9 (Vine Brook Way) consists of Units 11 and 12 in one building designated Building 3, as well as garage spaces, each unit being two (2) stories in height above mean grade.

The plan of land is entitled "Quail Run Condominium Plan of Land in Woburn, Mass.", dated April 10, 2003, by Hayes Engineering, Inc., which plan was recorded in Middlesex South District Registry of Deeds with the 12th Amendment to the Master Deed as Instrument No. 256 of April 17, 2003 (hereinafter referred to as "Site Plan as amended") showing Phase 9, being Units 11 and 12 in Building 3, the location of said building and improvements thereon and the land and the areas on which subsequent Phases may be built.

The building in Phase 9 is constructed principally of poured concrete foundations, wood frame construction, vinyl siding exterior and pitched asphalt shingled roofs.

2. Description of Units

The designation of each Unit in Phases 1, 2, 3, 4, 5, 6, 7, 8 and 9, a statement of its location, approximate area, number of rooms, immediate common area to which it has access, as built, and its proportionate interest in the common areas until further amendment of the Master Deed are set forth in Exhibit "B" attached hereto and incorporated herein by reference. The location and layout of each Unit in Phase 9, the location of the rooms therein and other descriptive specifications thereof are as shown on a one page plan entitled "Quail Run

Condominium Building 3, Vine Brook Way, Woburn, Mass. 01801", dated August 29, 2003, by Architectural Partners, Inc., 103 Morse Street, Watertown, MA, which plan is recorded herewith.

The boundaries of the Units with respect to the floors, ceilings, and walls, doors and windows thereof are as follows:

- A. Floors: The upper surface of the cement floor slabs.
- B. Ceilings: The plane of the lower surface of the roof joists and roof rafters.
- C. Building Walls, Doors and Windows: As to walls, the plane of the interior surface of the wall studs and the plane of the interior surface of the concrete foundation walls; as to doors, including storm doors, the exterior surface thereof and of the door frames and as to window, including storm windows and skylights, the exterior surface of the glass and of the window and skylight frame.

Each Unit will be conveyed together with its respective undivided interest in the Common Areas and Facilities as set forth in Exhibit "B", as the same may be amended in accordance with the provisions of the Master Deed as amended, and will have the benefit of the right to use the Common Areas and other Facilities in common with others entitled thereto, except; (a) the owner of each Unit shall have as appurtenant to it the exclusive right and easement to use the patio or deck to which such Unit has direct access, subject to any maintenance requirements adopted pursuant to the Condominium Trust, and (b) each Unit Owner shall have the exclusive right to use the assigned garage and an assigned outdoor parking space as set forth in the first deed to such Unit or in a subsequent instrument or conveyance from the Builder to such Unit Owner.

3. Description of the Common Areas and Facilities

The Common Areas and Facilities of the Condominium comprise and consist of those items set forth in Article 4 of the Master Deed of Quail Run Condominium and set forth under the definition of Common Areas and Facilities of said Chapter 183A, Section 1 as from time to time amended.

4. Use of the Units

The purpose for which the buildings and the units are intended is residential use as more fully described in Article 8 of the Master Deed.

5. Unit Owner's Organization

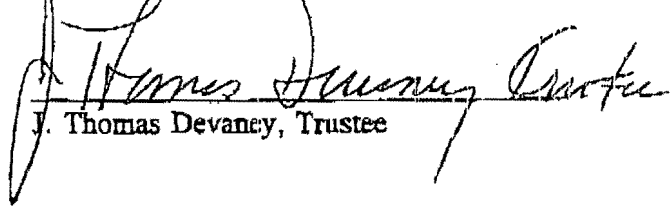
The condominium shall be managed by the Trustees of the Quail Run Condominium Trust as set forth in the Master Deed.

6. Master Deed Incorporated By Reference

Each of the Units and the Common Elements in Phase 9 shall be subject to the Master Deed and any amendments thereto, the Unit Deed, the Trust and any and all rules and regulations promulgated pursuant thereto and any amendments thereto. The provisions of the Master Deed, as amended, are hereby incorporated by reference into this Amendment and shall apply to Phase 9 and the Units and Common Elements included therein as if they had been completely set forth herein.

EXECUTED as a sealed instrument this 10<sup>th</sup> day of September, 2003.

TOMARYAN REALTY TRUST

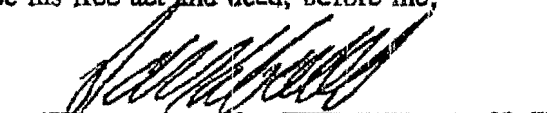
  
J. Thomas Devaney, Trustee

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss.

September 10 2003

Then personally appeared the above-named J. Thomas Devaney, Trustee as aforesaid, and acknowledged the foregoing to be his free act and deed, before me,

  
John H. Kimball, Jr.  
Notary Public

My Commission Expires: June 3, 2005

QUAIL RUN CONDOMINIUM TRUST

TRUSTEE'S ACTION, AUTHORIZATION AND CONSENT

We the undersigned, being at least a majority of the Trustees currently in office of the Quail Run Condominium Trust under declaration of Trust dated January 22, 1987 and recorded in Middlesex South District Registry of Deeds in Book 17820, Page 266, as amended by Instruments of record, pursuant to Article III, Section 4 of said Trust, and collectively the Declarant under an Instrument of Sale, Transfer and Assignment of Phasing and Developer Rights dated March 18, 2002 and recorded in said Deeds in Book 35092, Page 344, pursuant to the terms of said Instrument of Sale, hereby certify that Units 11 and 12 Vine Brook Way, all located in Building Three, Phase 9, are in compliance with the provisions of said Instrument of Sale and said Units are hereby released from each and every provision of said Instrument of Sale except for the provisions of Section 1.M and Section 1.N thereof. We further state that said Units 11 and 12 have been built in accordance with the terms and conditions of said Instrument of Sale and the Design and Construction Parameters incorporated therein. To the extent necessary or required to create Phase 9, the undersigned Trustees hereby authorize and consent to the creation of Phase 9 in accordance with the terms and conditions of the Amendment to Master Deed and Declaration of Trust of the Quail Run Condominium

Association dated December 20, 1999 and recorded in said Deeds in Book 31127, Page 62, and the terms and conditions of said Instrument of Sale, and hereby authorize and consent to the sale of Units 11 and 12 in Building Three of Phase 9 by J. Thomas Devaney, Trustee as aforesaid.

EXECUTED as a sealed instrument this 10th day of September, 2003.

Joel Alpert

A. Downey

Joel M. Seidman

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Case P. Boyer

**COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss:

September 10, 2003

Then personally appeared the above named Joel Alpert, Joel Seidman, A. Downey, C. Boyer one of the duly authorized Trustees of Quail Run Condominium Trust, and acknowledge the foregoing instrument to be his/her free act and deed as Trustee, before me.

James E. Boyer  
Notary Public

My Commission Expires: Feb 13, 2009

EXHIBIT "B"

QUAIL RUN CONDOMINIUM  
PHASES 1-9

<u>Location</u>	<u>Unit No.</u>	<u>Unit Type</u>	<u>Approximate Area (sq. ft.)</u> unit basement	<u>No. of Rooms</u>	<u>Proportionate Interest Phase 9</u>
<u>Johnson's Grant</u> Building 1	1 Johnson's Grant	B	1367	5	1.0072897
Building 1	2 Johnson's Grant	A	1190	5	0.9054337
Building 1	3 Johnson's Grant	A	1190	5	0.9054337
Building 1	4 Johnson's Grant	C	1542	6	1.1120177
<u>Johnson's Grant</u> Building 2	5 Johnson's Grant	C	1542	6	1.1120177
Building 2	6 Johnson's Grant	A	1190	5	0.9054337
Building 2	7 Johnson's Grant	A	1190	5	0.9054337
Building 2	8 Johnson's Grant	B	1367	5	1.0072897
<u>Johnson's Grant</u> Building 3	9 Johnson's Grant	B	1367	5	1.0072897
Building 3	10 Johnson's Grant	C	1542	6	1.1120177
Building 3	11 Johnson's Grant	C	1542	6	1.1120177
<u>Saw Mill Brook Way</u> Building 1	1 Saw Mill Brook Way	B	1367	5	1.0072897
Building 1	2 Saw Mill Brook Way	A	1190	5	0.9054337
Building 1	3 Saw Mill Brook Way	A	1190	5	0.9054337
Building 1	4 Saw Mill Brook Way	C	1542	6	1.1120177
Building 1	5 Saw Mill Brook Way	C	1542	6	1.1120177



**EXHIBIT "B"**

**QUAIL RUN CONDOMINIUM  
PHASES 1-9 - Continued**

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<u>Location</u>	<u>Unit No.</u>	<u>Unit Type</u>	<u>Approximate Area (sq. ft.)</u>		<u>No. of Rooms</u>	<u>Proportionate Interest Phase 9</u>
			unit	basement		
<u>Saw Mill Brook Way</u>						
Building 2	6 Saw Mill Brook Way	B	1367	785	5	1.0614377
Building 2	7 Saw Mill Brook Way	A	1190	608	5	0.9563767
Building 2	8 Saw Mill Brook Way	A	1190	608	5	0.9563767
Building 2	9 Saw Mill Brook Way	C	1542	1172	6	1.1631547
Building 2	10 Saw Mill Brook Way	C	1542	1172	6	1.1631547
Building 2	11 Saw Mill Brook Way	A	1190	608	5	0.9563767
Building 2	12 Saw Mill Brook Way	B	1367	785	5	1.0614377
<u>Saw Mill Brook Way</u>						
Building 3	13 Saw Mill Brook Way	B	1367	785	5	1.0614377
Building 3	14 Saw Mill Brook Way	C	1542	1172	6	1.1631547
Building 3	15 Saw Mill Brook Way	C	1542	1172	6	1.1631547
Building 3	16 Saw Mill Brook Way	A	1190	608	5	0.9563767
Building 3	17 Saw Mill Brook Way	B	1367	785	5	1.0614377
<u>Kendall's Mill</u>						
Building 1	1 Kendall's Mill	B	1367	785	5	1.0614377
Building 1	2 Kendall's Mill	A	1190	608	5	0.9563767
Building 1	3 Kendall's Mill	A	1190	608	5	0.9563767
Building 1	4 Kendall's Mill	B	1367	785	5	1.0614377

EXHIBIT "B"

QUAIL RUN CONDOMINIUM  
PHASES 1-9 - Continued

(Page 3)

<u>Location</u>	<u>Unit No.</u>	<u>Unit Type</u>	<u>Approximate Area (sq. ft.)</u>		<u>No. of Rooms</u>	<u>Proportionate Interest Phase 9</u>
			unit	basement		
<u>Kendall's Mill</u>						
Building 2	5 Kendall's Mill	B	1367	785	5	1.0614377
Building 2	6 Kendall's Mill	C	1542	1172	6	1.1631547
Building 2	7 Kendall's Mill	C	1542	1172	6	1.1631547
Building 2	8 Kendall's Mill	A	1190	608	5	0.9565767
Building 2	9 Kendall's Mill	B	1367	785	5	1.0614377
<u>Kendall's Mill</u>						
Building 3	10 Kendall's Mill	B	1367		5	1.0072897
Building 3	11 Kendall's Mill	A	1190		5	0.9054337
Building 3	12 Kendall's Mill	A	1190		5	0.9054337
Building 3	13 Kendall's Mill	C	1542		6	1.1120177
Building 3	14 Kendall's Mill	C	1542		6	1.1120177
Building 3	15 Kendall's Mill	A	1190		5	0.9054337
Building 3	16 Kendall's Mill	B	1367		5	1.0072897
<u>Kendall's Mill</u>						
Building 4	17 Kendall's Mill	C	1542		6	1.1120177
Building 4	18 Kendall's Mill	C	1542		6	1.1120177
<u>Michael's Green</u>						
Building 1	1 Michael's Green	B	1367		5	1.0072897
Building 1	2 Michael's Green	C	1542		6	1.1120177

EXHIBIT "B"

QUAIL RUN CONDOMINIUM  
PHASES 1-9 - Continued

(Page 4)

<u>Location</u>	<u>Unit No.</u>	<u>Unit Type</u>	<u>Approximate Area (sq. ft.)</u> unit    basement		<u>No. of Rooms</u>	<u>Proportionate Interest Phase 9</u>
<u>Michael's Green</u> Building 1	3 Michael's Green	C	1542		6	1.1120177
Building 1	4 Michael's Green	B	1367		5	1.0072897
<u>Michael's Green</u> Building 2	5 Michael's Green	B	1367		5	1.0072897
Building 2	6 Michael's Green	C	1542		6	1.1120177
Building 2	7 Michael's Green	C	1542		6	1.1120177
Building 2	8 Michael's Green	B	1367		5	1.0072897
<u>Michael's Green</u> Building 3	9 Michael's Green	B	1367	785	5	1.0614377
Building 3	10 Michael's Green	A	1190	608	6	0.9565767
Building 3	11 Michael's Green	A	1190	608	6	0.9565767
Building 3	12 Michael's Green	C	1542	1172	5	1.1631547
Building 3	13 Michael's Green	C	1542	1172	6	1.1631547
Building 3	14 Michael's Green	A	1190	608	6	0.9565767
Building 3	15 Michael's Green	B	1367	785	5	1.0614377
<u>Douglas Green</u> Building 1	1 Douglas Green	B	1460		5	1.0682227
Building 1	2 Douglas Green	B	1460		5	1.0682227
Building 1	3 Douglas Green	C	1542		6	1.1120177

**EXHIBIT "B"****QUAIL RUN CONDOMINIUM  
PHASES 1-9 - Continued**

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<u>Location</u>	<u>Unit No.</u>	<u>Unit Type</u>	<u>Approximate Area (sq. ft.)</u>		<u>No. of Rooms</u>	<u>Proportionate Interest Phase 9.</u>
			<u>unit</u>	<u>basement</u>		
<u>Douglas Green</u> Building 1	4 Douglas Green	C	1542		6	1.1120177
<u>Douglas Green</u> Building 2	5 Douglas Green	B	1460		5	1.0682227
Building 2	6 Douglas Green	B	1460		5	1.0682227
Building 2	7 Douglas Green	C	1542		6	1.1120177
Building 2	8 Douglas Green	C	1542		6	1.1120177
<u>Douglas Green</u> Building 3	9 Douglas Green	B	1460	878	5	1.1038557
Building 3	10 Douglas Green	B	1460	878	5	1.1038557
Building 3	11 Douglas Green	C	1542	1172	6	1.1631547
Building 3	12 Douglas Green	C	1542	1172	6	1.1631547
<u>Douglas Green</u> Building 4	13 Douglas Green	C	1542		6	1.1120177
Building 4	14 Douglas Green	C	1542		6	1.1120177
Building 4	15 Douglas Green	B	1460		5	1.0682227
Building 4	16 Douglas Green	B	1460		5	1.0682227
<u>Vine Brook Way</u> Building 1	1 Vine Brook Way	C	1982	1260	6	1.4824485
Building 1	2 Vine Brook Way	C	2001	1256	6	1.4824485

**EXHIBIT "B"**

**QUAIL RUN CONDOMINIUM  
PHASES 1-9 - Continued**

(Page 6)

<u>Location</u>	<u>Unit No.</u>	<u>Unit Type</u>	<u>Approximate Area (sq. ft.)</u> unit basement	<u>No. of Rooms</u>	<u>Proportionate Interest Phase 9</u>
<u>Vine Brook Way</u> Building 1	3 Vine Brook Way	B	1742 889	6	1.3214447
<u>Vine Brook Way</u> Building 2	4 Vine Brook Way	C	1964 1246	6	1.4824485
Building 2	5 Vine Brook Way	C	1974 1246	6	1.4824485
Building 2	6 Vine Brook Way	B	2025 967	6	1.4824485
Building 2	7 Vine Brook Way	B	2025 967	6	1.4824485
Building 2	8 Vine Brook Way	C	1980 1246	6	1.4824485
Building 2	9 Vine Brook Way	C	1971 1246	6	1.4824485
<u>Vine Brook Way</u> Building 3	10 Vine Brook Way	C	1916 1261	6	1.4824485
Building 3	11 Vine Brook Way	B	1957 972	6	1.4824485
Building 3	12 Vine Brook Way	B	1957 972	6	1.4824485
Building 3	13 Vine Brook Way	C	1916 1261	6	1.4824485

All "A" units consist of K, LR, D, B, B, BR, BR and have access to the common areas and facilities from the front door and living room. Such Access is to the entry, patio or deck and grounds.

All "B" units consist of K, LR, D, B, B, BR, BR (except in Phase 6 and thereafter, said Unit also has a 1/2 B and DN) and have access to the common areas and facilities from the front door, living room and dining room. Such access is the entry, patio or deck and ground.

All "C" units consist of K, LR, D, B, B, BR, BR, (except in Phase 6 and thereafter, said Unit also has a 1/2 B and L,) and have access to the common areas and facilities from the front door and living room. Such access is to the entry, patio or deck and grounds.

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K = Kitchen,	LR = Living Room,	D = Dining Room,	DN = Den,
B = Bath,	BR = Bedroom,	L = Loft	
1/2 B = 1/2 Bath			

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