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Page: 1 of 14 01/30/2004 09:47 AM

QUAIL RUN CONDOMINIUM

FIFTEENTH AMENDMENT OF MASTER DEED

14
2004
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 Phasing and

FALLON & ASSOCIATES
Attorneys at Law, PC
378 Granite Avenue
P.O. Box 267
Milton, MA 02186

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 in Book , Page 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 in Book 38839, Page 207 on April 17, 2003, 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 in Book 40017, Page 303 on July 18, 2003 and Phase 9 of Quail Run Condominium by the 14th Amendment of Master Deed, dated September 10, 2003 as Instrument No.1287 of September 12, 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 10 of Quail Run Condominium to be governed by and subject to the provisions of M.G.L. c. 183A. Said Phase 10 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 10

Phase 10 (Vine Brook Way) consists of Units 14, 15, 16 and 17 in one building designated Building 4, 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 January 27, 2004, by Hayes Engineering, Inc., which plan is recorded herewith (hereinafter referred to as "Site Plan as amended") showing Phase 10, being Units 14, 15, 16 and 17 in Building 4, 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 10 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, 9 and 10 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.

06-00-2004 01:11PM FROM: FRANKLIN & ASSOCIATES 7818-201-3608 1-021 11-01-0202 1-029

The location and layout of each Unit in Phase 10, the location of the rooms therein and other descriptive specifications thereof are as shown on a one page plan entitled "Quail Run Condominium Building 4, Vine Brook Way, Woburn, Mass. 01801", dated January 21, 2004, 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 10 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 10 and the Units and Common Elements included therein as if they had been completely set forth herein.

EXECUTED as a sealed instrument this 27th day of January, 2004.

TOMARYAN REALTY TRUST


J. Thomas Devaney, Trustee

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss.

On this 27th day of January, 2004, before me, the undersigned notary public, personally appeared J. Thomas Devaney, Trustee as aforesaid, proved to me through satisfactory evidence of identification, which was a driver's license, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose.


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 14, 15, 16, and 17 Vine Brook

Way, all located in Building Four, Phase 10, 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 14, 15, 16 and 17 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 10, the undersigned Trustees hereby authorize and consent to the creation of Phase 10 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 14, 15, 16 and 17 in Building Four of Phase 10 by J. Thomas Devaney, Trustee as aforesaid.

EXECUTED as a sealed instrument this 29th day of January, 2004.

Frank Pedulla

Arthur Downing

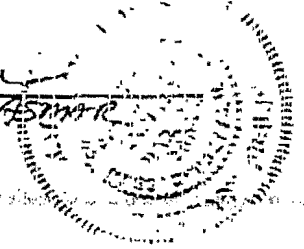
Joel Albert

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss:

On this 29 day of January, 2004, before me, the undersigned notary public, personally appeared F. Pedulla, A. Downing, J. Albert, one of the duly authorized Trustees of Quail Run Condominium Trust, proved to me through satisfactory evidence of identification, which was a driver's license, to be the person whose name is signed on the preceding document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Kathleen Asmar
Notary Public KATHLEEN ASMAR



My Commission Expires:

3/22/07

EXHIBIT "B"

**QUAIL RUN CONDOMINIUM
PHASES 1-10**

<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 10</u>
<u>Johnson's Grant</u> Building 1	1 Johnson's Grant	B	1367	5	.9474043
Building 1	2 Johnson's Grant	A	1190	5	.8462318
Building 1	3 Johnson's Grant	A	1190	5	.8462318
Building 1	4 Johnson's Grant	C	1542	6	1.0491985
<u>Johnson's Grant</u> Building 2	5 Johnson's Grant	C	1542	6	1.0491985
Building 2	6 Johnson's Grant	A	1190	5	.8462318
Building 2	7 Johnson's Grant	A	1190	5	.8462318
Building 2	8 Johnson's Grant	B	1367	5	.9474043
<u>Johnson's Grant</u> Building 3	9 Johnson's Grant	B	1367	5	.9474043
Building 3	10 Johnson's Grant	C	1542	6	1.0491985
Building 3	11 Johnson's Grant	C	1542	6	1.0491985
<u>Saw Mill Brook Way</u> Building 1	1 Saw Mill Brook Way	B	1367	5	.9474043
Building 1	2 Saw Mill Brook Way	A	1190	5	.8462318
Building 1	3 Saw Mill Brook Way	A	1190	5	.8462318
Building 1	4 Saw Mill Brook Way	C	1542	6	1.0491985
Building 1	5 Saw Mill Brook Way	C	1542	6	1.0491985

JC 11
 SM 12
 KM 18

 46

MZ 15
 DG 16
 VSW 17

 48 = 94

EXHIBIT "B"

QUAIL RUN CONDOMINIUM
PHASES 1-10 - Continued

(Page 2)

*Saw Mill
01801-5375*

<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 10</u>
<u>Saw Mill Brook Way</u>						
Building 2	6 Saw Mill Brook Way	B	1367	785	5	.9995042
Building 2	7 Saw Mill Brook Way	A	1190	608	5	.8962828
Building 2	8 Saw Mill Brook Way	A	1190	608	5	.8962828
Building 2	9 Saw Mill Brook Way	C	1542	1172	6	1.0994401
Building 2	10 Saw Mill Brook Way	C	1542	1172	6	1.0994401
Building 2	11 Saw Mill Brook Way	A	1190	608	5	.8962828
Building 2	12 Saw Mill Brook Way	B	1367	785	5	.9995042
<u>Saw Mill Brook Way</u>						
Building 3	13 Saw Mill Brook Way	B	1367	785	5	.9995042
Building 3	14 Saw Mill Brook Way	C	1542	1172	6	1.0994401
Building 3	15 Saw Mill Brook Way	C	1542	1172	6	1.0994401
Building 3	16 Saw Mill Brook Way	A	1190	608	5	.8962828
Building 3	17 Saw Mill Brook Way	B	1367	785	5	.9995042
<u>Kendall's Mill</u>						
Building 1	1 Kendall's Mill	B	1367	785	5	.9995042
Building 1	2 Kendall's Mill	A	1190	608	5	.8962828
Building 1	3 Kendall's Mill	A	1190	608	5	.8962828
Building 1	4 Kendall's Mill	B	1367	785	5	.9995042

a J

Reasons 01801-5376

EXHIBIT "B"

**QUAIL RUN CONDOMINIUM
PHASES 1-10 - Continued**

<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 10</u>
			<u>unit</u>	<u>basement</u>		
<u>Kendall's Mill</u> Building 2	5 Kendall's Mill	B	1367	785	5	.9995042
Building 2	✓ 6 Kendall's Mill	C	1542	1172	6	1.0994401
Building 2	✓ Kendall's Mill	C	1542	1172	6	1.0994401
Building 2	8 Kendall's Mill	A	1190	608	5	.8962828
Building 2	9 Kendall's Mill	B	1367	785	5	.9995042
<u>Kendall's Mill</u> Building 3	10 Kendall's Mill	B	1367		5	.9474043
Building 3	11 Kendall's Mill	A	1190		5	.8462318
Building 3	12 Kendall's Mill	A	1190		5	.8462318
Building 3	13 Kendall's Mill	C	1542		6	1.0491985
Building 3	14 Kendall's Mill	C	1542		6	1.0491985
Building 3	15 Kendall's Mill	A	1190		5	.8462318
Building 3	16 Kendall's Mill	B	1367		5	.9474043
<u>Kendall's Mill</u> Building 4	17 Kendall's Mill	C	1542		6	1.0491985
Building 4	18 Kendall's Mill	C	1542		6	1.0491985
<u>Michael's Green</u> Building 1	1 Michael's Green	B	1367		5	.9474043
Building 1	2 Michael's Green	C	1542		6	1.0491985

EXHIBIT "B"

Michael's
01801-5378

QUAIL RUN CONDOMINIUM
PHASES 1-10 - Continued

(Page 4)

<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 10</u>
			unit	basement		
<u>Michael's Green</u> Building 1	3 Michael's Green	C	1542		6	1.0491985
Building 1	4 Michael's Green	B	1367		5	.9474043
<u>Michael's Green</u> Building 2	5 Michael's Green	B	1367		5	.9474043
Building 2	6 Michael's Green	C	1542		6	1.0491985
Building 2	7 Michael's Green	C	1542		6	1.0491985
Building 2	8 Michael's Green	B	1367		5	.9474043
<u>Michael's Green</u> Building 3	9 Michael's Green	B	1367	785	5	.9995042
Building 3	10 Michael's Green	A	1190	608	6	.8962828
Building 3	11 Michael's Green	A	1190	608	6	.8962828
Building 3	✓12 Michael's Green	C	1542	1172	5	1.0994401
Building 3	✓13 Michael's Green	C	1542	1172	6	1.0994401
Building 3	14 Michael's Green	A	1190	608	6	.8962828
Building 3	15 Michael's Green	B	1367	785	5	.9995042
<u>Douglas Green</u> Building 1	1 Douglas Green	B	1460		5	1.0061704
Building 1	2 Douglas Green	B	1460		5	1.0061704
Building 1	3 Douglas Green	C	1542		6	1.0491985

EXHIBIT "B"

DOUGLAS
01801-5377

QUAIL RUN CONDOMINIUM
PHASES 1-10 - Continued

(Page 5)

<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 10</u>
<u>Douglas Green</u> Building 1	4 Douglas Green	C	1542		6	1.0491985
<u>Douglas Green</u> Building 2	5 Douglas Green	B	1460		5	1.0061704
Building 2	6 Douglas Green	B	1460		5	1.0061704
Building 2	7 Douglas Green	C	1542		6	1.0491985
Building 2	8 Douglas Green	C	1542		6	1.0491985
<u>Douglas Green</u> Building 3	9 Douglas Green	B	1460	878	5	1.0411814
Building 3	10 Douglas Green	B	1460	878	5	1.0411814
Building 3	✓ 11 Douglas Green	C	1542	1172	6	1.0994401
Building 3	✓ 12 Douglas Green	C	1542	1172	6	1.0994401
<u>Douglas Green</u> Building 4	13 Douglas Green	C	1542		6	1.0491985
Building 4	14 Douglas Green	C	1542		6	1.0491985
Building 4	15 Douglas Green	B	1460		5	1.0061704
Building 4	16 Douglas Green	B	1460		5	1.0061704
<u>Vine Brook Way</u> Building 1	1 Vine Brook Way	C	1982	1260	6	1.4124555
Building 1	✓ 2 Vine Brook Way	C	2001	1256	6	1.4124555

EXHIBIT "B"

**QUAIL RUN CONDOMINIUM
PHASES 1-10 - Continued**

<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 10</u>
			<u>unit</u>	<u>basement</u>		
<u>Vine Brook Way</u> Building 1	3 Vine Brook Way	B	1742	889	5	1.2549585
<u>Vine Brook Way</u> Building 2	4 Vine Brook Way	C	1964	1246	6	1.4124555
Building 2	5 Vine Brook Way	C	1974	1246	6	1.4124555
Building 2	6 Vine Brook Way	B	2025	967	5	1.4124555
Building 2	7 Vine Brook Way	B	2025	967	5	1.4124555
Building 2	8 Vine Brook Way	C	1980	1246	6	1.4124555
Building 2	9 Vine Brook Way	C	1971	1246	6	1.4124555
<u>Vine Brook Way</u> Building 3	10 Vine Brook Way	C	1916	1261	6	1.4124555
Building 3	11 Vine Brook Way	B	1957	972	5	1.4124555
Building 3	12 Vine Brook Way	B	1957	972	5	1.4124555
Building 3	13 Vine Brook Way	C	1916	1261	6	1.4124555
<u>Vine Brook Way</u> Building 4	14 Vine Brook Way	C	2051	1260	6	1.4124555
Building 4	15 Vine Brook Way	C	2028	968	5	1.4124555
Building 4	16 Vine Brook Way	C	2058	968	5	1.4124555
Building 4	17 Vine Brook Way	C	1953	1261	6	1.4124555

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.

K = Kitchen,
B = Bath,
1/2 B = 1/2 Bath

LR = Living Room,
BR = Bedroom,

D = Dining Room,
L = Loft

DN = Den.

Luigi C. P...
Artist, Middlesex St. Registrar