



SHEPLEY HILL CONDOMINIUM
THIRD AMENDMENT TO MASTER DEED

This Third Amendment to Master Deed of Shepley Hill Condominium (the "Third Amendment") is made by Shepley Hill Capital Partners, LLC, a Massachusetts limited liability company with an address c/o P.O. Box 1044, Sudbury, MA 01776 as of this 17th day of August 2023 and amends that certain Master Deed of Shepley Hill Condominium (the "Condominium"), dated June 13, 2023 and recorded with the Middlesex South Registry of Deeds at Book 81652, Page 18. Said Master Deed, as amended of record is hereafter referred to as the "Master Deed". Capitalized terms used herein and not otherwise defined, shall have the meanings ascribed to them in the Master Deed.

WHEREAS, the undersigned, Shepley Hill Capital Partners, LLC (hereafter the "Declarant"), is the Declarant of the Master Deed;

WHEREAS, it is provided in Section 17 of the Master Deed that the Declarant has the reserved right, without the consent of any Unit Owner or Unit Mortgagee, to amend the Master Deed to create additional Phases of the Condominium by submitting to the provisions of the Master Deed from time to time buildings, units and other improvements constructed on the Land;

WHEREAS, Declarant now wishes pursuant to the terms of this Third Amendment to add to the Condominium as Phase 3 thereof, the Building known as Building 1 having an address c/o 23 McGovern Way and the two Units located therein, all as more particularly described in Exhibit B-1 hereto;

WHEREAS, the Buildings and Units to be included as Phase 3 of the Condominium pursuant to the terms of this Third Amendment are shown on a set of plans (the "Phase 3 Site Plans/Floor Plans") labeled as follows:

(i) "Shepley Hill Condominium, Phase 3, Units 23A and 23B" prepared by Dillis & Roy Civil Design Group, dated August 14, 2023 to be recorded herewith (the "Phase 3 Site Plan");

(ii) "Shepley Hill Condominium, Phase 3 (Units 23A and 23B), McGovern Way, Groton, Massachusetts, As-Built Essex, 23A McGovern Way" dated August 16, 2023 and prepared by LYFarchitects and recorded herewith, and

(iii) "Shepley Hill Condominium, Phase 3 (Units 23A and 23B), McGovern Way, Groton, Massachusetts, As-Built Coolidge, 23B McGovern Way" dated August 16, 2023 and prepared by LYF architects and recorded herewith; "

McGovern Way, Groton

Jack McElhinney
63 Shore Rd, Ste 23
Winchester, MA 01890

SEE PLAN NO. 553 OF 2023

The Phase 3 Site Plans/Floor Plans are hereby incorporated into and made a part of the plans for the Condominium as set forth in Section 5 of the Master Deed;

WHEREAS, it is also provided that from and after the inclusion of said Phase 3 in the Condominium, the percentage interest of each Unit in the common areas and facilities of the Condominium shall be amended in accordance with the provisions of the Master Deed;

NOW THEREFORE, the Declarant, by duly executing and recording this Third Amendment, does hereby amend said Master Deed to submit the Residence Units known as Units 23A and 23B (hereafter the "Units" or "Residence Units") and the Building known as Building 1/23 McGovern Way, all as shown on the Phase 3 Site Plans/Floor Plans, to the provisions of Chapter 183A of the General Laws, and does hereby include said Residence Units and Building in the Condominium as Phase 3 thereof to be governed by and subject to the provisions of said M.G.L. c. 183A. Said Residence Units shall be subject to and have the benefit of the provisions of said Master Deed and the provisions of the Declaration of Trust of Shepley Hill Condominium Trust dated as of June 13, 2023, and recorded with said Deeds in Book 81652, Page 57 (the "Declaration of Trust").

I. Description of the Buildings.

Phase 3 includes the building known as Building 1/ 23 McGovern Way which is a two-story building which contains two Units. The Buildings and Units are located as shown on the Phase 3 Site Plans/Floor Plans and are described more particularly in Exhibit B-1 attached hereto and incorporated by reference.

II. Description of Units in Phase 3.

The designation of the two Units in Phase 3 and a statement of their location, approximate area, number of rooms, immediate common areas to which they have access, and other descriptive specifications thereof are shown on the Phase 3 Site Plans/Floor Plans and on Exhibit B-1 attached hereto and incorporated herein by reference. The boundaries of each unit are as set forth in Section 6 of the Master Deed.

III. Common Areas and Facilities.

The common areas and facilities of the Condominium comprise and consist of those elements described in Section 7 of the Master Deed, together with the benefit of and subject to the rights and easements referred to in said Master Deed, and all parts of the buildings, other than the Units themselves, included in the Phases and Subphases added to the Condominium and the improvements thereon and (b) all of the same elements, features and facilities of the buildings and grounds, which are described, defined, and referred to in the Master Deed

as common areas and facilities. Said common areas and facilities shall be subject to the provisions of the Condominium Trust, including the By-laws contained therein, and all rules and regulations promulgated pursuant thereto with respect to the use and maintenance thereof. Those elements of Phase 3 which are designated as Limited Common Areas and Facilities or Exclusive Use Areas for the benefit of one or more specific Residence Units are more particularly detailed in Exhibit B-1.

IV. Floor Plans of Units.

The Phase 3 Site Plans/Floor Plans show the layout, location, unit number and dimensions of the two Units in Phase 3 and bear the verified statement of a registered surveyor or architect certifying that said plans fully and accurately depict the layout, location, unit number and dimensions of Units 23A and 23B, as built.

V. Percentage Interests in Common Areas and Facilities.

Upon the recording of this Third Amendment of Master Deed creating Phase 3 of the Condominium, each of the Units then included in the Condominium shall have a percentage interest as set forth in Exhibit B-1 hereto, which amends Exhibit B-1 to the Master Deed.

VI. Purpose of Units, Restrictions on Use of Units.

The provisions set forth and incorporated in the Master Deed with respect to the use of units shall apply to the Units in Phase 3 and to all Units previously included within the Condominium.

VII. Amendments to Master Deed.

The Master Deed may be further amended only in accordance with the provisions of Section 13 of said Master Deed.

VIII. Organization of Unit Owners.

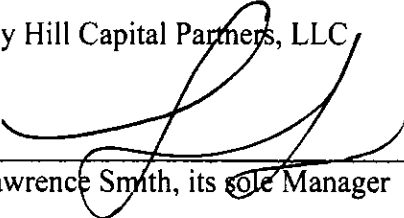
The Condominium will be managed and regulated by Shepley Hill Condominium Trust as set forth in Paragraph 3 of said Master Deed.

The Units and the common areas and facilities in Phase 3 shall be subject to the terms and provisions of the Master Deed and the provisions of the Condominium Trust, as they may be amended from time to time, including the

By-laws incorporated therein, and all rules and regulations promulgated pursuant thereto. Except to the extent otherwise expressly set forth in this Third Amendment, all terms and provisions of the Master Deed are hereby ratified and affirmed and remain in full force and effect and shall apply to and govern all Units, and the owners thereof, and all Common Areas and Facilities in previously declared Phases of the Condominium, and the provisions of said Master Deed are hereby incorporated herein by reference into this Third Amendment and shall apply to Phase 3 and the Units and the Common Areas and Facilities included in Phase 3, with the same force and effect as if they had been completely set forth herein.

IN WITNESS HEREOF, the Declarant, Shepley Hill Capital Partners, LLC has executed this instrument as of this 17th day of August, 2023.

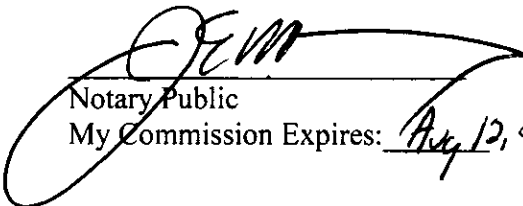
Shepley Hill Capital Partners, LLC

By: 
Lawrence Smith, its sole Manager

COMMONWEALTH OF MASSACHUSETTS

Middlesex
Barnstable, ss

On this 17th day of August 2023, before me, the undersigned notary public, personally appeared said Lawrence Smith, as aforesaid, and known to me through personal knowledge, and acknowledged that he signed the foregoing document voluntarily, for its stated purpose, on behalf of Shepley Hill Capital Partners, LLC as Manager.


Notary Public
My Commission Expires: Aug 12, 2027


 **JOHN E. MCELHINNEY**
Notary Public
Commonwealth of Massachusetts
My Commission Expires
August 12, 2027

EXHIBIT B-1
TO THIRD AMENDMENT TO MASTER DEED OF
SHEPLEY HILL CONDOMINIUM

DESCRIPTION OF BUILDING

The location of the Building known as Building 11, 23 McGovern Way included in Phase 3 is shown on the Phase 3 Site Plans/Floor Plans referenced herein, which upon their recording, shall be deemed incorporated in and a part of the plans for the Condominium, as amended from time to time. The Building is constructed of wood, with wood floor joists and roof joists. The roofs are asphalt shingle. The Building has a basement and poured concrete foundation. The Building known as 23 McGovern Way is a two story building with two units divided by a vertical demising wall.

DESCRIPTION OF UNITS

The unit designation of each Unit, and a statement of its location, approximate area, number and designation of rooms, the immediate common areas to which it has access, and its proportionate interests in the common area and facilities of the Condominium are as shown on the Phase 3 Site Plans/Floor Plans and as set forth in this Exhibit B-1. The Plans and this Exhibit B-1 will be amended from time to time if and to the extent that future Phases or Subphases will be created as set forth herein elsewhere.

Units 23A and 23B are each located in the Building known as Building 1/23 McGovern Way as shown on the Phase 3 Site Plans/Floor Plans. Each of the two Units also has the sole right to use and occupy as an Exclusive Common Area, the patio and yard area immediately adjacent to the Unit. Such Exclusive Common Area for Unit 23A is more particularly designated as "Exclusive Use Area, Unit 23A" on the Phase 3 Site Plans/Floor Plans. Such Exclusive Common Area for Unit 23B is more particularly designated as "Exclusive Use Area, Unit 23B" on the Phase 3 Site Plans/Floor Plans. The driveway leading to the garage included in the Unit is an Exclusive Common Area for the use of the Residence Unit as are the walkways providing access to the front of the Residence Unit or driveways. Maintenance and repair of the driveway and walkways is a common expense of the Condominium as provided below.

Each time the Master Deed is amended to add one or more Units, the percentage of undivided interest in the common areas and facilities of each existing Unit and each Unit added to the Condominium by said amendment shall be calculated in accordance with Section 17 of the Master Deed such that the percentage interest of each unit included within the Condominium. The percentage interest in common areas and facilities of all Residence Units in the Condominium effective as of the date of this Third Amendment is set forth below:

<u>UNIT NO.</u>	<u>BUILDING LOCATION</u>	<u>APPROX. SQ. FT.*</u>	<u>PERCENTAGE** INTEREST</u>	<u>IMMEDIATE COMMON AREAS AND FACILITIES TO WHICH UNIT UNIT HAS ACCESS</u>
23A	Building 1	2408	17.50 %	Exclusive Use Area 23A, Land
23B	Building 1	2223	16.10 %	Exclusive Use Area 23B, Land
26A	Building 13	2360	25.70 %	Exclusive Use Area 26A, Land
26B	Building 13	2180	23.80 %	Exclusive Use Area 26B, Land
86A	Building 4	2408	17.50 %	Exclusive Use Area 86A, Land
86B	Building 4	2223	16.10%	Exclusive Use Area 86B, Land

In the event of any conflict between the terms of this Exhibit B-1 and the terms of the Master Deed, the terms of this Exhibit B-1 shall control.

* The approximate area of any Unit does not include any unfinished/finished basement areas, storage areas, garage or appurtenant deck or patio.

** Declarant has reserved the right to add additional phases to the Condominium in any order deemed appropriate by Declarant in accordance with Section 17 of this Master Deed. Upon the addition of any Additional Phases to the Condominium by amendment of the Master Deed, the percentage interest in the common areas and facilities of the Condominium appurtenant to each Unit in the Condominium previously and thereby included in the Condominium shall be recalculated in accordance with the terms of the Master Deed and Mass General Laws Chapter 183A.

This Exhibit B-1 to this Third Amendment of the Master Deed of Shepley Hill Condominium shall be deemed to amend and be incorporated into Exhibit B-1 recorded with the original Master Deed.

EXHIBIT "B-1" TO MASTER DEED
SHEPLEY HILL CONDOMINIUM
DESCRIPTION OF BUILDINGS AND UNITS

Building 1 is located in Phase 3 as shown on the Phase 3 Site Plan, referenced herein. Building 1 is constructed of wood with wood floor joists and roof joists. The siding is vinyl clapboard. The roof is asphalt shingle. Building 1 has a basement and a poured concrete foundation. Building 1 is composed of two (2) residential units (23A and 23B), which units are divided by a vertical demising wall.

DESCRIPTION OF UNITS

Building	Unit Designation	Applicable Phase	Unit Style	Unit Room Description	Area (SF)	Percentage Interest (%)	Exclusive Use Area
13	26A	1	Two-Story Essex	2 bedroom, 2 full bathrooms and one-half bath, with a 2-car garage, laundry, and sunroom; living room, dining room, kitchen, family room, library and foyer, loft; and partially unfinished basement space and attic space,	2,360	17.0%	Exclusive Use Area Unit 26A

13	26B	1	Single Story Coolidge	2 bedroom, 2 full bathrooms and one- half bath, with a 2- car garage , laundry, and sunroom; living room, dining room, kitchen, library and foyer; and unfinished basement space	2,180	15.80%	Exclusive Use Area Unit 26B
4	86A	2	Two Story Essex	2 bedroom, 2 full bathrooms and one- half bath, with a 2- car garage, laundry, and sunroom; living room, dining room, kitchen, family room, library and foyer, loft; and unfinished basement	2408	17.5	Exclusive Use Area 86A

				space and attic space			
4	86B	2	Single Story Coolidge	2 bedroom, 2 full bathrooms and one-half bath, with a 2-car garage , laundry, and sunroom; living room, dining room, kitchen, library and foyer; and unfinished basement space	2223	16.1	Exclusive Use Area 86B
1	23A	2	Two Story Essex	2 bedroom, 2 full bathrooms and one-half bath, with a 2-car garage, laundry, and sunroom; living room, dining room, kitchen,	2408	17.5	Exclusive Use Area 23A

				family room, library and foyer, loft; and unfinished basement space and attic space			
1	23B	2	Single Story Coolidge	2 bedroom, 2 full bathrooms and one-half bath, with a 2-car garage , laundry, and sunroom; living room, dining room, kitchen, library and foyer; and unfinished basement space	2223	16.1	Exclusive Use Area 23B

FUTURE PHASES

If all of the contemplated Future Phases are constructed and incorporated into the Condominium, there will be a total of 13 buildings and 26 units.