



AMENDMENT TO MASTER DEED

2012 00004686

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Recorded: 01/31/2012 10:44 AM

Andover Estates Condominium

Phel-Jas, LLC of 120 Lumber Lane, Tewksbury, MA 01876, being the Declarant under a Master Deed dated December 9, 2011 and recorded with Middlesex North District Deeds at Book 25529 Page 132("Master Deed"), hereby amends the Master Deed as follows:

Delete Paragraph 2 Description of Building in its entirety and replace it with the following:

2. Description of Building

The Condominium shall consist of five (5) Phases. Phase One consist of Units 1-2, and contains two (2) Residential Units and zero (0) Commercial Units. The Second Phase consists of Units 9-14, containing (6) Residential Units and zero (0) Commercial Units. Phase Three consists of Units 15-20, containing six (6) Residential Units and zero (0) Commercial Units. Phase 4 consists of Units 6-8, containing three (3) Residential Units and zero (0) Commercial Units. Phase Five consists of Units 3-5, containing three (3) Residential Units and Zero (0) Commercial Units. The units are located at 1582 & 1596 Andover Streets, Tewksbury, Middlesex County, Massachusetts and are further described in Exhibit B attached to the herein referenced Master Deed and made a part hereof by reference. Reference is made to Section 20 of the Master Deed for a more complete description of the Phasing.

Additionally, Paragraph 20 Phasing, shall be deleted in its entirety and replaced with the following:

20. Phasing.

1.The Declarant shall have the right to complete construction of the additional eighteen (18) Units of the Condominium which are the Second, Third Fourth, and Fifth phases and shall consist of eighteen (18) additional condominium units which, when completed, shall bring the total number of Units in the Condominium to twenty (20). When the Second, Third, Fourth and Fifth Phases shall be sufficiently completed to permit the preparation of "as-built" plans as required by Chapter 183A an amendment to this Master Deed adding the units of the Second, Third, Fourth and Fifth Phases to the Condominium ("Phasing Amendment") shall be recorded with the Middlesex North Registry of Deeds and said amended shall become part of this Master Deed and the Declaration of Trust to the Condominium. The Declarant reserves the right and easement during construction of the buildings and improvements to the Second, Third, Fourth and Fifth Phases and the completion of all common areas, to pass and repass over the land described in Exhibit A and the Condominium, including the right to store equipment and supplies thereon and to park construction equipment and trailers thereon for use as construction and/or sales offices so far as the same are necessary or convenient for said

construction and a right and easement to use all ways, driveways, parking areas, garages and walkways affording access to and from the areas on which construction is being performed.

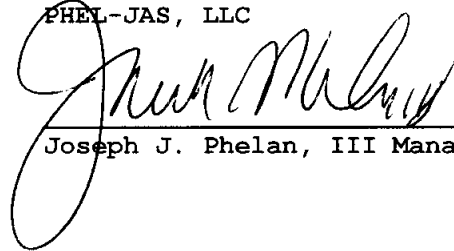
2. Incidental to the recording of the Phasing Amendment so as to add the Second, Third, Fourth and Fifth Phases to the Condominium, Exhibit B to this Master Deed shall be amended to describe the Buildings and other improvements added to the Condominium by the recording of such Phasing Amendment. Exhibit C to the Master deed shall be amended to describe the Units added by said Amendment and show each Units' then revised percentage interest in the common areas of the Condominium. Such new allocable interest shall be calculated based upon the relation of the approximate fair values of each unit to the then aggregate approximate fair value of all the Units on the date of recording said Phasing Amendment. The percentage interest of all Units which were previously part of the Condominium shall be reduced by their pro rata share of the interest allocated to the added units. The fair value of each unit shall be determined by the Declarant in its sole judgment based on size, layout, location in Condominium, exclusive use rights and such other factors, in Declarant's sole judgment, affect the value thereof. In any event, the allocation of percentage interests in the common areas and facilities shall be made in accordance with the requirements of said Chapter 183A and shall be fair and equitable proportions. Each Unit Owner and holder of a mortgage on any Unit shall be, by his/her/their acceptance of a deed (or mortgage) to a Unit in the Condominium, be deemed to have consented to any change and recalculation of percentage interests listed in Exhibit C of this master deed and to have waived any right to object to or contest any such change or recalculation unless such change or recalculation is manifestly unfair or inequitable with respect to such Unit.

3. Any Phasing Amendment shall comply with the provisions of Chapter 183A of then General Laws. The rights and easements reserved to Declarant in this Master Deed to add a Second Phase shall expire, to the extent that the Phase shall not have been added to the condominium, on the seventh anniversary of the recording of this Master Deed.

As hereby amended, the Master Deed is ratified and confirmed in all respects.

Executed as an instrument under seal this 25 day of January, 2012.

PHEL-JAS, LLC

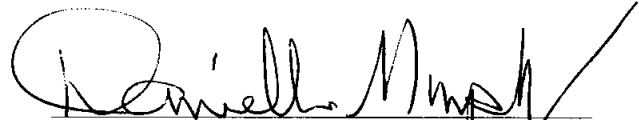

Joseph J. Phelan, III Manager

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Dated: 1/25/2012

On this 25 day of January 2012 before me, the undersigned Notary Public, personally appeared Phel-Jas, LLC by Joseph J. Phelan, III, Manager as aforesaid, who proved to me their identity by providing a Massachusetts Driver License, to be the persons whose names are signed on the preceding document, and acknowledged that each signed the foregoing document voluntarily and for its stated purpose.


Notary Public
My Commission Expires: 8/18/2017

