

Middlesex South Registry of Deeds
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Middlesex South Registry of Deeds
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**HUMMINGBIRD LANE CONDOMINIUM
FIFTH AMENDMENT TO MASTER DEED
TO ADD PHASE VI, UNIT 8**

The undersigned Moulton Construction Corporation, being the Declarant of the Hummingbird Lane Condominium pursuant to a Master Deed recorded with the Middlesex South District Registry of Deeds in **Book 73546** at **Page 228**, in accordance with Article 14 B of the Master Deed, by duly executing and recording this Amendment of the Master Deed, does hereby submit the land and the Building and the Unit contained therein, and the improvements shown as **Phase VI, Unit 8**, to the provisions of Chapter 183 A of the General Laws, as amended, and does hereby state that it proposes to create, and does hereby add **Phase VI, Unit 8** of the Hummingbird Lane Condominium in said condominium, to be governed by and subject to the provisions of said Chapter 183 A of the General Laws, as amended. Said **Phase VI, Units 8**, shall be subject to and have the benefit of the provisions of the Master Deed, the Declaration of Trust of the Hummingbird Lane Condominium Trust duly recorded in Book 73546 at Page 255, and the By-laws of the Hummingbird Lane Condominium.

I. DESCRIPTION OF LAND

The premises which constitute Phase VI, Unit 8 of the Condominium hereby established is comprised of the land together with the buildings and improvements constructed thereon, as shown on the site plan recorded with the Middlesex South District Registry of Deeds as **Plan 321 of 2021**.

II. DESCRIPTION OF BUILDINGS IN PHASE VI, UNIT 8

A description of the buildings which comprises Phase VI, Unit 8 and the materials of which the buildings are principally constructed is set forth in Exhibit A of this Amendment to the Master Deed. The description of the exterior dimensions of Phase VI, Unit 8 is shown on the plan recorded as **Plan of 2021**. Unit 8 has a street address of 84 Hummingbird Lane, Groton, MA 01450.

III. DESCRIPTION OF UNIT AND BOUNDARIES IN PHASE VI, UNIT 8

The designation of the units in Phase VI, Unit 8 of the condominium and the location, approximate area, number of rooms, immediate common areas to which Unit 8 has access, and other descriptive specifications thereof are

set forth in the Master Deed and are shown as Exhibit B attached hereto and incorporated herein by reference. The boundaries of said units are similarly set forth therein.

IV. COMMON AREAS AND FACILITIES

The Common Areas and Facilities of the Condominium, including all prior phases, comprises and consist of the land described in Exhibit A of the Master Deed recorded in Book 73546 at Page 228, 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, in prior phases and the improvements thereon, and 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. As provided in said Master Deed, the Common Areas and Facilities shall be subject to the provisions of the Declaration of Trust and By-laws of the Hummingbird Lane Condominium recorded with said Deeds in Book 73546 at Page 255.

V. FLOOR PLANS OF UNITS

Floor Plans of Unit 8 showing the layout, location, and dimensions of the unit is shown on the plan recorded with said Deeds as **Plan of 2021**.

VI. PERCENTAGE INTERESTS IN COMMON AREAS AND FACILITIES

Upon the recording of this Amendment to the Master Deed of the Condominium, the Units in those Phases of the Condominium created to date shall be entitled to an undivided interest in the Common Areas and Facilities of the Condominium in the percentages specified as set forth in Exhibit C attached hereto and incorporated herein by reference.

VII. RESTRICTIONS ON USE AND OCCUPANCY OF UNITS

The provisions set forth and incorporated in the Master Deed with respect to the restrictions as to the use and occupancy of the Units shall also apply to Unit 8.

VIII. AMENDMENTS OF MASTER DEED

The Master Deed may be further amended in accordance with the provisions of the Master Deed.

IX. MASTER DEED INCORPORATED BY REFERENCE

Unit 8 and the Common Areas and Facilities shall be subject to the terms and provisions of the Master Deed of Hummingbird Lane Condominium, the Hummingbird Lane Condominium Trust and the Condominium By-laws (set forth as Exhibit "C" to said Trust), as they may be amended from time to time, and any and all rules and regulations promulgated pursuant thereto. Except as herein expressly amended, all terms and provisions of said Master Deed of the Hummingbird Lane Condominium shall remain in full force and effect and shall be applicable to all Units, and the owners thereof, and all Common Areas and Facilities, as well as previously created phases of the Hummingbird Lane Condominium, and the provisions of said Master Deed are hereby incorporated herein by reference to this Amendment, and shall apply to Unit 8, the Common Areas and Facilities, as well as previous phases as if they had been fully set forth herein.

In Witness Whereof, the said Moulton Construction Corporation has caused this Amendment to be executed as an instrument under seal this 30th day of April 2021, by



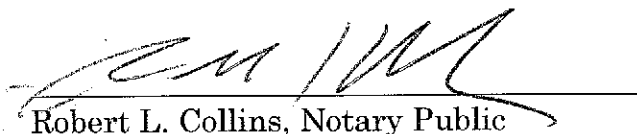
David C. Moulton, its President,
Treasurer, and Officer Duly Authorized

Commonwealth of Massachusetts

Middlesex, ss.

4/30/2021

The appeared David C. Moulton, who provided evidence of his identity in the form of current a Massachusetts Drivers License, and acknowledged that he executed the foregoing in his aforesaid capacity voluntarily for the purposes stated therein as the free act and deed of the said Moulton Construction Corporation, before me



Robert L. Collins, Notary Public
My commission expires: 11/18/2022

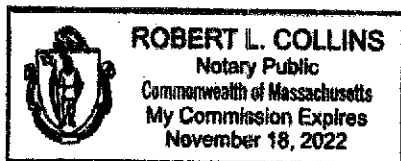


EXHIBIT "A" TO FIFTH AMENDMENT TO MASTER DEED
Hummingbird Lane Condominium
UNIT 8

Description of Building

PHASE VI, Unit 8:

The Building which contains Unit 8 situated on the land which is described in Exhibit "A" to the Master Deed, is a wood frame structure with poured concrete foundation, vinyl siding, with an asphalt shingled roof. Unit 8 has three bedrooms (one on the first floor and two on the second floor), one and one half baths on the first floor and a full bath on the second floor. Unit 8 has a front porch as well as a rear deck adjacent to the first floor. Unit 8 has an attached garage.

FUTURE PHASES

If all of the contemplated buildings are constructed and added to the Condominium, there will be a total of eighteen buildings containing a total of twenty-four units; twelve buildings will be duplex buildings containing two units in each, and twelve buildings will be detached single family buildings.

All of the buildings will be of wood frame construction with vinyl siding and asphalt shingled roofs. All of the Units will have three bedrooms. All of the Units will have an attached garage.

The Declarant has reserved the right to create decks, screened porches, and/or sunrooms appurtenant to the Units in the Future Phases as well as such other rights necessary to complete future phases as well as the utilities and infrastructure necessary for the Units in such further phases.

EXHIBIT "B"
TO
FIFTH AMENDMENT TO MASTER DEED
Hummingbird Lane Condominium

Unit 8

Description of Buildings and Units

PHASE VI:

Phase VI is comprised of a two story building containing one unit (Unit 8). The building is a wood frame structure with vinyl siding; the roof is of asphalt shingles.

DESCRIPTION OF UNIT:

Unit 8 has three bedrooms, a full and half bath on the first floor and a full bath on the second floor. Unit 8 has a front porch as well as a rear deck adjacent to the first floor. Unit 8 has an attached garage.

FUTURE PHASES

If all of the contemplated buildings are constructed and added to the Condominium, there will be a total of eighteen buildings containing a total of twenty-four units; twelve buildings will be duplex buildings containing two units in each, and twelve buildings will be detached single family buildings.

All of the buildings will be of wood frame construction with vinyl siding and asphalt shingled roofs. All of the Units will have three bedrooms. All of the Units will have an attached garage.

The Declarant has reserved the right to create decks, screened porches, and/or sunrooms appurtenant to the Units in the Future Phases as well as such other rights necessary to complete future phases as well as the utilities and infrastructure necessary for the Units in such further phases.

EXHIBIT "C"
FIRST AMENDMENT TO MASTER DEED
PHASE IV, UNIT 8
Hummingbird Lane Condominium

Description of Units

PHASE 1:

<u>Unit No.</u>	<u>Address of Unit</u>	<u>Proportionate Interest</u>	<u>Voting Interest</u>
1	46A Hummingbird Lane	6.6%	1
2	46 B Hummingbird Lane	6.6%	1
3	58 Hummingbird Lane	10.06%	1
17	35 Hummingbird Lane	10.06 %	1

PHASE II:

18	45 Hummingbird Lane	10.6 %	1
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PHASE III

6	72 C Hummingbird Lane	6.6 %	1
7	72 D Hummingbird Lane	6.6 %	1
19	63 A Hummingbird Lane	6.6%	1
20	63 B Hummingbird Lane	6.6%	1

PHASE IV:

4	72 A Hummingbird Lane	10.06%	1
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PHASE V:

5	72 B Hummingbird Lane	10.06%	1
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PHASE VI:

8	84 Hummingbird Lane	10.1%	1
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Note 1: The doors to each Unit access directly to the common areas.

Note 2: Each Unit in the Condominium has one (1) Vote.

Note 3: The percentage interest in the common areas and facilities of each unit in each phase will be calculated in accordance with the provisions of Chapter 183A of the General Laws when each future phase is added to the Condominium. If and when future phases are added, the percentage interest of each existing unit will decrease.

Note 4: The Declarant is not required to add the envisioned future phases, and may modify the number and configuration of the buildings, Units, floor plans of Units, and square footage of Units in any future phase.