

FIRST AMENDMENT TO MASTER DEED OF RIVERWALK COMMONS

Reference is made to the Master Deed of Riverwalk Commons ("Condominium") recorded with the Norfolk County Registry of Deeds on February 13, 2003 as instrument no. 35128 ("Master Deed").

1/21/03
2/13/03
5/15/03
5/21/03
5/21/03
+ PLANS

WHEREAS, OHC Bird Pond LLC ("Declarant") has, in Section 16 of the Master Deed, reserved the right to add additional units to the Condominium and to change the size, layout and architectural design of future buildings and the Units therein; and

WHEREAS, Declarant intends to amend the Master Deed by submitting additional units to the Condominium as phase 2 thereof and by including an additional unit type within the Condominium.

NOW, THEREFORE, the Declarant hereby amends the Master Deed, as follows:

1. Each Unit and building to be included in the Condominium shall be one of the five types described in Exhibit B.

2. The first sentence of the first paragraph of Exhibit B is deleted in its entirety and the following is substituted in its stead: "There are five different Unit types - The Osprey, The Blue Heron, The Swan, The Kingfisher and The Loon, each as described below."

3. A new sixth paragraph is hereby added to Exhibit B immediately following the description of The Kingfisher Unit, to read, as follows:

The Loon has seven rooms, consisting of a living room, dining room, kitchen, morning room, two bedrooms and a loft, as well as two and one-half bathrooms and a two car garage. It contains approximately 1,800 square feet of living area. It is hereinafter referred to as a Type E Unit. An inland Loon Unit is referred to as a Type E¹ Unit and a waterfront Loon Unit is referred to as a Type E² Unit."

4. Exhibit B-1 to the Master Deed is deleted in its entirety and Exhibit B-1 attached hereto is substituted in its stead.

5. Declarant hereby declares phase 2 of the Condominium consisting of two buildings, each containing one unit. The Condominium now consists of a total of six buildings, each containing one Unit.

6. The Units submitted to the Condominium with this First Amendment to Master Deed as a part of Phase 2 are, as follows:

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA

CERTIFY

William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER

REFER TO PLAN NO. 205 OF 2003
PLAN BOOK NO. 506 2 SHEETS

081924

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REFER TO PLAN NO. 204 OF 2003
PLAN BOOK NO. 506 1 SHEETS

N O T <u>ADDRESS</u>	<u>UNIT TYPE</u>	N O T <u>UNDIVIDED INTEREST</u>	<u>UNIT PERCENTAGE</u>
O F F I C I A L 18 Rose Court Way	D ²	O F F I C I A L C O P Y	17.82%
22 Rose Court Way	D ²		17.82%

The designation, location, approximate area, number of rooms, immediately accessible Common Areas and other descriptive specifications of said Units are set forth in Exhibit B of the Master Deed and are shown on the building floor plans and site plan entitled "Site Plan - Phases 1 & 2 Riverwalk Commons" recorded herewith.

7. As a result of the addition of the Units, the last paragraph of Exhibit B is amended, as follows:

<u>ADDRESS</u>	<u>UNIT TYPE</u>	<u>UNDIVIDED INTEREST</u>	<u>UNIT PERCENTAGE</u>
6 Rose Court Way	A ²		15.67%
8 Rose Court Way	C ²		17.05%
12 Rose Court Way	A ²		15.67%
18 Rose Court Way	D ²		17.82%
22 Rose Court Way	D ²		17.82%
27 Rose Court Way	D ¹		15.97%

Executed as a sealed instrument this 4 day of April, 2003.

OHC BIRD POND LLC
By: OHC Manager LLC, Manager

By: Thomas M. Ellis Manager
Thomas M. Ellis, its Manager

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss.

April 4, 2003

Then personally appeared the above-named Thomas M. Ellis, Manager of OHC Manager LLC, in its capacity as Manager of OHC Bird Pond LLC, duly authorized, and acknowledged the foregoing to be his free act and deed and the free act and deed of OHC Manager LLC and OHC Bird Pond LLC, before me.

Dean P. Plakias
NOTARY PUBLIC
Printed Name: Dean P. Plakias
My Commission expires: July 18, 2008

EXHIBIT B-1

Formula for Calculating Undivided Interest Unit Percentage

Unit Type	Designation	Value	AN
Osprey - inland	O F F A ¹ C I A L	9.1	O F F I C I A L
Osprey - waterfront	C O A ² P Y	10.2	C O P Y
Blue Heron - inland	B ¹	9.5	
Blue Heron - waterfront	B ²	10.6	
Swan - inland	C ¹	10.0	
Swan - waterfront	C ²	11.1	
Kingfisher - inland	D ¹	10.4	
Kingfisher - waterfront	D ²	11.6	
Loon - inland	E ¹	8.2	
Loon - waterfront	E ²	9.3	

N = Number of Units of a particular type

X = Value of Unit Type

The Undivided Interest Unit Percentage for each Unit type for each phase shall be determined in accordance with the following formula:

$$100 \left[\frac{X}{A^1(N) + A^2(N) + B^1(N) + B^2(N) + C^1(N) + C^2(N) + D^1(N) + D^2(N) + E^1(N) + E^2(N)} \right]$$

The result is rounded to the nearest 0.01 (with 0.005 rounded up) and adjusted, if necessary, up or down, based on the thousandth of a percent closest to rounding or not being rounded so that the total Undivided Interest Unit Percentage for all of the included Units is 100%.

By way of example, if, upon the addition of phase 3, there are two Units of each type except Kingfisher - waterfront, of which there are three Units, the Undivided Interest Unit Percentage for each Unit shall be determined, as follows:

Osprey - inland $100 \left[\frac{9.1}{(9.1)(2)+(10.2)(2)+(9.5)(2)+(10.6)(2)+(10.0)(2)+(11.1)(2)+(10.4)(2)+(11.6)(3)+(8.2)(2)+(9.3)(2)} \right]$

= $100 \left(\frac{9.1}{211.6} \right) = 4.30\%$ initially calculated percentage for A¹ Unit

Osprey - waterfront $100 \left(\frac{10.2}{211.6} \right) = 4.82\%$ initially calculated percentage for A² Unit

Blue Heron - inland $100 \left(\frac{9.5}{211.6} \right) = 4.49\%$ initially calculated percentage for B¹ Unit

Blue Heron - waterfront $100 \left(\frac{10.6}{211.6} \right) = 5.01\%$ initially calculated percentage for B² Unit

Swan - inland $100 \left(\frac{10.0}{211.6} \right) = 4.73\%$ initially calculated percentage for C¹ Unit

Swan - waterfront $100 \left(\frac{11.1}{211.6} \right) = 5.25\%$ initially calculated percentage for C² Unit

Kingfisher - inland $100 \left(\frac{10.4}{211.6} \right) = 4.91\%$ initially calculated percentage for D¹ Unit

Kingfisher - waterfront $100 \left(\frac{11.6}{211.6} \right) = 5.48\%$ initially calculated percentage for D² Unit

Loon - inland $100 \left(\frac{8.2}{211.6} \right) = 3.88\%$ initially calculated percentage for E¹ Unit

Loon - waterfront $100 \left(\frac{9.3}{211.6} \right) = 4.40\%$ initially calculated percentage for E² Unit

N O T
O F F I C I A L
C O P Y

	<u>Initial</u> <u>Percentage</u>		<u>Number</u> <u>of Units</u>	=	
A ¹	4.30%	x	2	=	8.60%
A ²	4.82%	x	2	=	9.64%
B ¹	4.49%	x	2	=	8.98%
B ²	5.01%	x	2	=	10.02%
C ¹	4.73%	x	2	=	9.46%
C ²	5.25%	x	2	=	10.50%
D ¹	4.91%	x	2	=	9.82%
D ²	5.48%	x	3	=	16.44%
E ¹	3.88%	x	2	=	7.76%
E ²	4.40%	x	2	=	8.80%
					<u>100.02%</u>

Since the E² Unit is closest to not being rounded (i.e., 4.39508% versus 3.87523% for the E¹ Unit or 5.24574% for the C² Unit), its Undivided Interest Unit Percentage would be decreased to 4.39%, resulting in a total of 100% for all of the Units.

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