

FIFTH AMENDMENT TO
DECLARATION OF THE VILLAGE AT RIVERBEND CONDOMINIUM

WHEREAS, Mountain River East Associates, a New Hampshire general partnership with a principal place of business in the Town of Thornton, County of Grafton and State of New Hampshire (hereinafter referred to as "Declarant") has caused to be recorded in the Grafton County Registry of Deeds a certain Declaration of The Village at Riverbend Condominium, dated December 31, 1988, and recorded at Volume 1785, Page 898, a First Amendment thereto, dated January 25, 1989, and recorded in said Registry at Volume 1792, Page 717, a Second Amendment thereto, dated May 1, 1989, and recorded in said Registry at Volume 1802, Page 864, a Third Amendment thereto, dated June 1, 1989, and recorded in said Registry at Volume 1814, Page 157, and a Fourth Amendment, dated June 26, 1989, and recorded in said Registry at Volume 1828, Page 998 (hereinafter referred as "Declaration"), together with certain site and floor plans pursuant thereto, and

WHEREAS, The Village at Riverbend Condominium presently consists of common area and limited common area, together with sixty-six (66) condominium units as described in the Declaration, as amended, and as depicted on the site and floor plans recorded pursuant thereto, and

WHEREAS, Paragraph 2, Section J of said Declaration reserved to the Declarant the right to convert The Village at Riverbend Condominium by the recordation of site and floor plans, together with an amendment to the Declaration, creating additional units, limited common area and common area, and reallocating the undivided interest in the common areas of the condominium, and by the execution, acknowledgement and recording of the within Fifth Amendment to Declaration, it is the intention of the Declarant to partially convert the convertible land to create

Plan # 6749

016709

BK1880 Pg 0489

therefrom an additional six (6) condominium units, limited common area and common area, as set forth in the Declaration, as amended, and herein;

NOW THEREFORE, the Declaration, as amended, is and hereby shall be amended by the recording of the within Fifth Amendment to the Declaration of The Village at Riverbend Condominium, as follows:

1. Delete in its entirety, Paragraph 2.C and insert in place thereof the following:

"C. General Description of Land and Buildings: The land is located on the westerly side of North Ashland Road, in the Town of Ashland, County of Grafton and State of New Hampshire, and contains approximately 109 acres. The condominium consists of ten (10) buildings designated "Building 1, 2, 3, 4, 5, 6, 7, 9, 10 and 13," located on the land as depicted on a certain site plan to be recorded herewith. Building 1 contains Units 1, 2, 3, 4, 5, and 6. Building 2 contains Units 7, 8, 9, 10, 11, 12, 13, and 14. Building 3 contains Units 15, 16, 17, 18, 19, 20, 21 and 22. Building 4 contains Units 23, 24, 25, 26, 27, 28, 29 and 30. Building 5 contains Units 31, 32, 33, 34, 35, 36, 37, and 38. Building 6 contains Units 39, 40, 41, 42, 43, 44, 45, and 46. Building 7 contains Units 47, 48, 49, 50, 51, 52, 53 and 54. Building 9 contains Units 63, 64, 65, 66, 67 and 68. Building 10 contains Units 69, 70, 71, 72, 73, and 74. Building 13 contains Units 87, 88, 89, 90, 91, and 92. There are five (5) different types of Units in The Village at Riverbend Condominium. Unit type E is located entirely on the first floor and contains a living room, dining room, kitchen, bathroom and bedroom. Units type E* is located entirely on one floor and contains a living room, dining room, kitchen, bathroom and two bedrooms. Unit type F contains an entry hallway area and stairway located on the first floor, a bedroom, bathroom, kitchen, dining room, and living room located on the second level and a loft area on the third level, from which some type F Units shall have created an additional bathroom. Unit type G contains an entry hall area, eating area, kitchen, dining area and living area on the first floor level, a guest bedroom, bathroom, master bathroom and master bedroom on the second floor level and a loft on the third floor level. Unit type H contains an entry hall on the first floor level, a guest bedroom, bathroom, master bathroom and master bedroom on the second floor level and a loft on the third floor level. Reference is made and had to a "Unit Key" attached hereto as Appendix D for further reference. The Buildings in The Village at Riverbend Condominium are constructed of wood frame and wood exterior on concrete foundations. The orientation of the Units on the land and the relation of each Unit to the others is more particularly described and depicted on certain site and floor plans to be recorded herewith."

2. Add to Paragraph 2.E the following:

Unit 1 and Unit 6 each has a patio area located on the first floor level which is limited to the exclusive use of that Unit to which it is adjacent, and is Limited Common Area for that Unit. Unit 2 and Unit 5 each has a balcony located on the second floor level which is limited to the exclusive use of that Unit to which it is adjacent, and is Limited Common Area for that Unit. Unit 3 and Unit 4 each has a patio area located on the first floor level and a balcony located on the second floor level which are limited to the exclusive use of that Unit to which they are adjacent, and are Limited Common Area for that Unit.

The boiler room and oil-fired hot water heating system located in the boiler room attached to the rear of Building #1 are limited to the exclusive use of Units 1, 2, 3, 4, 5 and 6 and are Limited Common Area for those Units. All costs of operation, maintenance and repair of said boiler room and oil-fired hot water heating system shall be borne by the record owners of Units 1, 2, 3, 4, 5 and 6 and assessed against said Units, in the same proportion that the square footage of each of said Units bears to the total square footage of all Units in said Building #1.

3. Delete in its entirety Appendix D to the Declaration, as amended above, and insert in place thereof, the following:

Appendix D

Village at Riverbend Condominium

Unit Key

Unit Number & Building	Unit Type	Number of Levels	Number of Square Feet	Percentage Undivided Int.
Unit 1 Bldg 1	E	1 level	673	1.040
Unit 2 Bldg 1	F	1 level & loft	1,108	1.242
Unit 3 Bldg 1	G	2 levels & loft	1,335	1.484
Unit 4 Bldg 1	G	2 levels & loft	1,335	1.484
Unit 5 Bldg 1	F	1 level & loft	1,108	1.242
Unit 6 Bldg 1	E	1 level	673	1.040
Unit 7 Bldg 2	H	2 levels & loft	1,402	1.619
Unit 8 Bldg 2	G	2 levels & loft	1,335	1.484
Unit 9 Bldg 2	G	2 levels & loft	1,335	1.484
Unit 10 Bldg 2	G	2 levels & loft	1,335	1.484
Unit 11 Bldg 2	G	2 levels & loft	1,335	1.484
Unit 12 Bldg 2	G	2 levels & loft	1,335	1.484
Unit 13 Bldg 2	F	1 level & loft	1,108	1.242
Unit 14 Bldg 2	E	1 level	673	1.040

BK1880 pg0491

Unit 15 Bldg 3	H	2 levels & loft	1,402	1.619
Unit 16 Bldg 3	G*	2 levels & loft	1,550	1.619
Unit 17 Bldg 3	G	2 levels & loft	1,335	1.484
Unit 18 Bldg 3	G	2 levels & loft	1,335	1.484
Unit 19 Bldg 3	G	2 levels & loft	1,335	1.484
Unit 20 Bldg 3	G*	2 levels & loft	1,550	1.619
Unit 21 Bldg 3	F	1 level & loft	1,108	1.242
Unit 22 Bldg 3	E	1 level	673	1.040
Unit 23 Bldg 4	H	2 levels & loft	1,402	1.619
Unit 24 Bldg 4	G	2 levels & loft	1,335	1.484
Unit 25 Bldg 4	G*	2 levels & loft	1,550	1.619
Unit 26 Bldg 4	G*	2 levels & loft	1,550	1.619
Unit 27 Bldg 4	G	2 levels & loft	1,335	1.484
Unit 28 Bldg 4	G	2 levels & loft	1,335	1.484
Unit 29 Bldg 4	F	1 level & loft	1,108	1.242
Unit 30 Bldg 4	E	1 level	673	1.040
Unit 31 Bldg 5	H	2 levels & loft	1,402	1.619
Unit 32 Bldg 5	G	2 levels & loft	1,335	1.484
Unit 33 Bldg 5	G	2 levels & loft	1,335	1.484
Unit 34 Bldg 5	G	2 levels & loft	1,335	1.484
Unit 35 Bldg 5	G	2 levels & loft	1,335	1.484
Unit 36 Bldg 5	G	2 levels & loft	1,335	1.484
Unit 37 Bldg 5	F	1 level & loft	1,108	1.242
Unit 38 Bldg 5	E	1 level	673	1.040
Unit 39 Bldg 6	H	2 levels & loft	1,402	1.619
Unit 40 Bldg 6	G	2 levels & loft	1,335	1.484
Unit 41 Bldg 6	G	2 levels & loft	1,335	1.484
Unit 42 Bldg 6	G	2 levels & loft	1,335	1.484
Unit 43 Bldg 6	G	2 levels & loft	1,335	1.484
Unit 44 Bldg 6	G	2 levels & loft	1,335	1.484
Unit 45 Bldg 6	F	1 level & loft	1,108	1.242
Unit 46 Bldg 6	E	1 level	673	1.040
Unit 47 Bldg 7	H	2 levels & loft	1,402	1.619
Unit 48 Bldg 7	G	2 levels & loft	1,335	1.484
Unit 49 Bldg 7	G	2 levels & loft	1,335	1.484
Unit 50 Bldg 7	G	2 levels & loft	1,335	1.484
Unit 51 Bldg 7	G	2 levels & loft	1,335	1.484
Unit 52 Bldg 7	G	2 levels & loft	1,335	1.484
Unit 53 Bldg 7	F	1 level & loft	1,108	1.242
Unit 54 Bldg 7	E	1 level	673	1.040
Unit 63 Bldg 9	H	2 levels & loft	1,402	1.619
Unit 64 Bldg 9	G	2 levels & loft	1,335	1.484
Unit 65 Bldg 9	G	2 levels & loft	1,335	1.484
Unit 66 Bldg 9	G	2 levels & loft	1,335	1.484
Unit 67 Bldg 9	F	1 level & loft	1,108	1.242
Unit 68 Bldg 9	E	1 level	673	1.040

BK 1880 Pg 0492

Unit 69 Bldg 10	E	1 level	673	1.040
Unit 70 Bldg 10	F	1 level & loft	1,108	1.242
Unit 71 Bldg 10	G	2 levels & loft	1,335	1.484
Unit 72 Bldg 10	G	2 levels & loft	1,335	1.484
Unit 73 Bldg 10	F	1 level & loft	1,108	1.242
Unit 74 Bldg 10	E*	1 level/2 bedroom	875	1.235
Unit 87 Bldg 13	E*	1 level/2 bedroom	875	1.235
Unit 88 Bldg 13	F	1 level & loft	1,108	1.242
Unit 89 Bldg 13	G	2 levels & loft	1,335	1.484
Unit 90 Bldg 13	G	2 levels & loft	1,335	1.484
Unit 91 Bldg 13	F	1 level & loft	1,108	1.242
Unit 92 Bldg 13	E*	1 level/2 bedroom	875	1.235

* Some G and E type units are of a slightly larger size, but similar configuration.

IN WITNESS WHEREOF, MOUNTAIN RIVER EAST ASSOCIATES has caused these presents to be executed in its name and behalf by James Ingram, a General Partner, duly authorized, this 19th day of September, 1990.

MOUNTAIN RIVER EAST ASSOCIATES

Kerth L. Paulsue
Witness

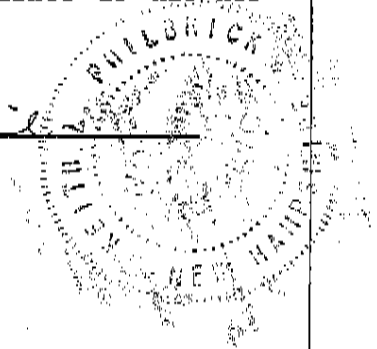
By: James Ingram Gen. P.
James Ingram, General Partner
Duly Authorized

STATE/~~COMMONWEALTH~~ OF New Hampshire
COUNTY OF Grafton

Sept. 19, 1990.

BEFORE ME, the undersigned officer, personally appeared James Ingram who acknowledged himself/herself to be a General Partner of MOUNTAIN RIVER ASSOCIATES, a partnership, and that he/she as such General Partner executed the foregoing instrument for the purposes therein contained as his/her voluntary act and deed.

Kerth L. Paulsue
Notary Public



My Commission expires: 12/20/94

RECEIVED
90 SEP 24 PM 2:59
GRAFTON COUNTY
REGISTRY OF DEEDS

BK1880 PG0493