

STATE OF VERMONT

Addison, COUNTY, SS.

On this 30<sup>th</sup> day of September, 1988, personally appeared David A. Bannister and Maxanne Provencier - Bannister signers(s) and sealers(s) to the foregoing written instrument and acknowledged the same to be their free act and deed.

My Commission Expires:  
2-10-91.

David A. Bannister  
NOTARY PUBLIC

Received for record Oct. 7, 1988 at  
11:10 A.M. A true copy.

Attest: Jean Lavigne, City Clerk

FIRST AMENDMENT  
TO  
DECLARATION OF COUNTRY COMMONS CONDOMINIUM

WHEREAS, DAVID CHAMBERLAIN, INC., as Declarant, has declared and established COUNTRY COMMONS CONDOMINIUM by the Declaration of Country Commons Condominium dated May 26, 1988, and recorded in the Vergennes City Land Records in Book 37 at Page 176-214.

WHEREAS, Declarant in said Declaration has reserved the right to amend the Declaration further to expand the Condominium by converting certain common elements to Units and Limited Common Area and to conform the Declaration to the requirements of the secondary mortgage market and Vermont law; and

WHEREAS, the Declarant has constructed four (4) additional condominium Units and Limited Common Areas on portions of the property designated as Additional Land in the Lot Plan referred to herein and otherwise described as Phase II; and

WHEREAS, Declarant deems it appropriate to expand Country Commons Condominium by duly executing and recording this First Amendment to the Declaration of Country Commons Condominium in the Land Records of the City of Vergennes, Vermont;

NOW, THEREFORE, Declarant, pursuant to authority reserved as aforesaid, hereby amends the Declaration of Country Commons Condominium as follows:

AMENDMENT NO. 1

EXHIBIT C, THE FLOOR PLANS FOR COUNTRY COMMONS CONDOMINIUM, is amended by adding thereto the First Floor and Second Floor Plan for Building #3 entitled "Country Commons Condominiums - Vergennes, Vermont", consisting of Sheets 4, 5, 7 & 11, prepared by and under seal of John H. Stuart, P.E. certified September 14, 1988, and recorded in the Vergennes City Land Records on October September 26, 1988.

AMENDMENT NO. 2

EXHIBIT F, DESCRIPTION OF PHASES, BUILDING AND UNIT BOUNDARIES, COUNTRY COMMONS CONDOMINIUM, is amended by deleting Exhibit F in its entirety, and substituting therefor the attached Exhibit F.

AMENDMENT NO. 3

EXHIBIT G, SCHEDULE OF ASSIGNED VALUES AND PERCENTAGE INTERESTS, COUNTRY COMMONS CONDOMINIUM, is amended by deleting Exhibit G in its entirety and substituting therefor the attached Exhibit G.

AMENDMENT NO. 4

As to this Phase, Building #3, the one year warranty set forth in Section 3.8(f) shall commence upon the conveyance of sixty percent (60%) of the Units in Phase II.

The terms and provisions of the Declaration of Country Commons Condominium dated May 26, 1988, and recorded in the Vergennes City Land Records in Book 37 at Pages 176-214 shall continue in full force and effect except as amended hereinabove, including without limitation, the description of the portions of real property and improvements which

with the Declaration of Condominium) all as established under that certain Declaration of Condominium made by David Chamberlain, Inc. dated May 26, 1988 and recorded in the City of Vergennes Land Records on May 26, 1988 in Book 37 at Page 176-214, and any amendments thereto.

Being a portion of those lands and premises conveyed to David Chamberlain, Inc. by the following deeds:

1. Warranty Deed from David Chamberlain dated January 13, 1988 and recorded in the Vergennes City Land Records in Book 36 at Pages 525-527;
2. Warranty Deed from William Mace dated January 11, 1988 and recorded in the Vergennes City Land Records in Book 36 at Pages 522-524.

For purposes hereof, "Unit Estate" means all the components of ownership held by the owner of the unit, including the rights and interest of the owner in and to the unit, the rights of use of the limited common are and the undivided interest in the common area and limited common area, together with the rights and obligations of the owner under the Declaration of Condominium, as amended, the documents of Incorporation of the Condominium Owners' Association and the By-Laws, Rules and Regulations of the Condominium Owners' Association.

Said mortgage shall otherwise remain in full force and effect.

IN WITNESS WHEREOF, the mortgagee has hereunto affixed its hand and corporate seal this 29th day of June, 1989.

IN PRESENCE OF:

THE CALEDONIA NATIONAL BANK OF DANVILLE

Suzanne L. Roberts  
WITNESS

BY: [Signature]  
Duly Authorized Agent

Jandra Patrice  
WITNESS

STATE OF VERMONT

CALEDONIA COUNTY, SS.

At Danville, in said County, this 29th day of June, 1989, personally appeared, Stewart Gates, Agent Duly Authorized of The Caledonia National Bank of Danville, and he acknowledged this instrument, by him sealed and subscribed, to be his free act and deed and the free act and deed of The Caledonia National Bank of Danville.

Received for record 06-22-89 at 10:20 A.M. A true copy.

Attest: [Signature]  
City Clerk

Before me, Suzanne L. Roberts  
Notary Public  
My Commission Exp.: 2/10/91

SECOND AMENDMENT TO DECLARATION OF COUNTRY COMMONS CONDOMINIUM

WHEREAS, DAVID CHAMBERLAIN, INC., as Declarant, has declared and established COUNTRY COMMONS CONDOMINIUM by the Declaration of Country Commons Condominium dated May 26, 1988, and recorded in the Vergennes City Land Records in Book 37 at Page 176-214.

WHEREAS, Declarant in said Declaration has reserved the right to amend the Declaration further to expand the Condominium by converting certain common elements to Units and Limited Common Area and to conform the Declaration to the requirements of the secondary mortgage market and Vermont law; and

WHEREAS, the Declarant has constructed eight (8) additional condominium Units and Limited Common Areas on portions of the property designated as Additional Land in the Lot Plan referred to herein and otherwise described as Phase III; and

WHEREAS, Declarant deems it appropriate to expand Country Commons Condominium by duly executing and recording this First Amendment to the Declaration of Country Commons Condominium in the Land Records of the City of Vergennes, Vermont;

NOW, THEREFORE, Declarant, pursuant to authority reserved as aforesaid, hereby amends the Declaration of Country Commons Condominium as follows:

AMENDMENT NO. 1

EXHIBIT B, THE LOT PLANS FOR COUNTRY COMMONS CONDOMINIUM, is amended by adding thereto the Lot Plan entitled "Country Commons Condominiums - Vergennes, Vermont", prepared by and under seal of John H. Stuart, P.E. dated January 4, 1989 and recorded in the Vergennes City Land Records on January 26, 1989 in Map Book 2 at Page 15 as revised on February 22, 1989 and recorded in the Vergennes City Land Records on April 14 1989 in Map Book 2 at Page 16.

AMENDMENT NO. 2

EXHIBIT C, THE FLOOR PLANS FOR COUNTRY COMMONS CONDOMINIUM, is amended by adding thereto the Basement Floor, First Floor and Second Floor Plan for Building #2 entitled "Country Commons Condominiums - Vergennes, Vermont", consisting of Sheets 4, 5 and 7, prepared by and under seal of John H. Stuart, P.E. dated January 9, 1989 and recorded in the Vergennes City Land Records on January 18, 1989 in Map Book 2 at Pages 12, 13 and 14 and by adding thereto the Basement Floor, First Floor and Second Floor Plan for Building #1 entitled "Country Commons Condominiums - Vergennes, Vermont", prepared by and under seal of John H. Stuart, P.E. dated March 14, 1989 and recorded in the Vergennes City Land Records on April 14, 1989, 1989 in Map Book 2 at Pages 16, 17, 18 & 19.

AMENDMENT NO. 3

EXHIBIT F, DESCRIPTION OF PHASES, BUILDING AND UNIT BOUNDARIES, COUNTRY COMMONS CONDOMINIUM, is amended by deleting Exhibit F in its entirety, and substituting therefor the attached Exhibit F.

AMENDMENT NO. 4

EXHIBIT G, SCHEDULE OF ASSIGNED VALUES AND PERCENTAGE INTERESTS, COUNTRY COMMONS CONDOMINIUM, is amended by deleting Exhibit G in its entirety and substituting therefor the attached Exhibit G.

AMENDMENT NO. 5

As to this Phase, Building #1 and #2, the one year warranty set forth in Section 3.8(f) shall commence upon the conveyance of sixty percent (60%) of the Units in Phase III.

The terms and provisions of the Declaration of Country Commons Condominium dated May 26, 1988, and recorded in the Vergennes City Land Records in Book 37 at Pages 176-214 shall continue in full force and effect except as amended hereinabove, including without limitation, the description of the portions of real property and improvements which constitute Units, Common Area and Limited Common Area, to the extent necessary to cause the Phase III additional land to be treated as fully an integral part of the Project as if said additional land and improvements constituted a portion of the Project as of the effective date of the Declaration.

IN WITNESS WHEREOF, Declarant has caused its corporate name to be subscribed by its proper officer and duly authorized agent this 15 day of June, 1989.

IN PRESENCE OF:

COUNTRY COMMONS CORPORATION,  
DECLARANT

Richard J. M.  
Witness  
Mark H. K.  
Witness

BY: David Chamberlain  
David Chamberlain, President and  
Duly Authorized Agent

STATE OF VERMONT  
COUNTY OF ADDISON, SS.

At Middlebury, in said County, this 15 day of June, 1989, personally appeared David Chamberlain, President and Duly Authorized Agent of David Chamberlain, Inc., a Vermont corporation, and he acknowledged the foregoing instrument, by him subscribed, to be his free act and deed and the free act and deed of DAVID CHAMBERLAIN, INC..  
Before me,

Richard J. M.  
Notary Public  
My Commission Expires: 2/10/91

EXHIBIT F

DESCRIPTION OF PHASES, BUILDINGS AND UNIT BOUNDARIES  
COUNTRY COMMONS CONDOMINIUM

PHASE I

Phase I of Country Commons Condominium has been constructed and consists of the following buildings and units:

Building #4, Unit A.  
Building #4, Unit B.  
Building #4, Unit C.  
Building #4, Unit D.

constitute Units, Common Area and Limited Common Area, to the extent necessary to cause the Phase II additional land to be treated as fully an integral part of the Project as if said additional land and improvements constituted a portion of the Project as of the effective date of the Declaration.

IN WITNESS WHEREOF, Declarant has caused its corporate name to be subscribed by its proper officer and duly authorized agent this 7 day of October, 1988.

IN PRESENCE OF: COUNTRY COMMONS CORPORATION,  
DECLARANT

Witness: Richard J. [Signature]  
BY: David Chamberlain  
David Chamberlain, President and  
Duly Authorized Agent

Witness: Julia M. [Signature]

STATE OF VERMONT

COUNTY OF ADDISON, SS.

At Middlebury, in said County, this 7 day of October, 1988, personally appeared David Chamberlain, President and Duly Authorized Agent of David Chamberlain, Inc., a Vermont corporation, and he acknowledged the foregoing instrument, by him subscribed, to be his free act and deed and the free act and deed of DAVID CHAMBERLAIN, INC..  
Before me,

Richard J. [Signature]  
Notary Public

My Commission Expires: 2/10/91

EXHIBIT F

DESCRIPTION OF PHASES, BUILDINGS AND UNIT BOUNDARIES

COUNTRY COMMONS CONDOMINIUM

PHASE I

Phase I of Country Commons Condominium has been constructed and consists of the following buildings and units:

Building #4, Unit A.  
Building #4, Unit B.  
Building #4, Unit C.  
Building #4, Unit D.

PHASE II

Phase II of Country Commons Condominium has been constructed and consists of the following buildings and units:

Building #3, Unit A.  
Building #3, Unit B.  
Building #3, Unit C.  
Building #3, Unit D.

Each building is two stories high and is constructed on a full basement. Each building will be of wood frame construction with wood clapboard exterior surface and asphalt shingle roof. Each unit is bounded by the undecorated interior surface of its perimeter walls (which includes the perimeter walls of its entry), ceiling, floor, and extends to the interior edge of its deck or patio area or a vertical line rising from the edge of its deck or patio area. The unit number, location, access to immediate common area, dimension, design (including number of rooms) and approximate area of each unit are set forth in the attached Lot Plan (Exhibit "B") and Floor Plan (Exhibit "C").

The units in Phase III and in any successive phases, will be constructed upon the Additional Land as shown on the Lot Plan. In order to convert a portion of the Additional Land from undeveloped Common Area to individual units, an amendment to this Declaration shall be filed in the Vergennes City Land Records according to the provisions contained herein. The Declarant expressly reserves the right, during the course of construction, to revise, modify, or change in whole or in part the plans and specifications for construction; provided, however, that the Declarant shall adhere to the general scheme of development as set forth

in the plans. Declarant expects but does not warrant or guarantee that the project as completed will include a total of twenty-four (24) units. Declarant reserves to itself the assigned undivided percentage interests attributable to all uncompleted units and units which have been completed but remain unsold by Declarant.

EXHIBIT G

SCHEDULE OF ASSIGNED VALUES AND PERCENTAGE INTERESTS

COUNTRY COMMONS CONDOMINIUM

<u>Building</u>	<u>Unit</u>	<u>Assigned Value</u>	<u>Assigned Percentage of Undivided Interest Per Unit</u>
3	A	\$100,000.00	12.5%
	B	\$100,000.00	12.5%
	C	\$100,000.00	12.5%
	D	\$100,000.00	12.5%
4	A	\$100,000.00	12.5%
	B	\$100,000.00	12.5%
	C	\$100,000.00	12.5%
	D	\$100,000.00	12.5%
Value of all Units		\$800,000.00	100.00%

The common element interests shown above and elsewhere in this Exhibit G have been rounded off to the nearest .00001% without exceeding 100%. The interest appertaining to any Unit can be determined more precisely by dividing the assigned value of that Unit by the total aggregate assigned value of all the units as those values are shown in this Exhibit G.

In the event the Declarant elects to expand the Project as provided in Section 3 of the Declaration, all Units added to the Project shall have the following valuations:

<u>Type of Unit</u>	<u>Assigned Valuation</u>
All Units	\$100,000.00

The Percentage Interest appurtenant to each Unit of the Project shall thereafter be established in accordance with the following formula:

$$\frac{v^u}{A} = p^u$$

$p^u$  = Percentage Interest of each Unit

$v^u$  = Valuation of the respective Unit as set forth in this Exhibit G.

A = Aggregate Valuation of all Units existing in the Project and added to the Project as provided in Section 3 of the Declaration.

Received for record Oct. 7, 1988 at 4:12 P.M.

A true copy.

Attest: *Janet Devine*, City Clerk

PARTIAL RELEASE OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS that THE CALEDONIA NATIONAL BANK OF DANVILLE, a corporation organized and existing under the laws of the United State of America, having its principal place of business in Danville, Vermont, in consideration of TEN OR MORE DOLLARS paid to its full satisfaction, does hereby release and discharge the hereinafter described condominium unit estate from the lien and rights of that certain mortgage from DAVID CHAMBERLAIN, INC., Mortgagor to THE CALEDONIA NATIONAL BANK OF

PHASE II

Phase II of Country Commons Condominium has been constructed and consists of the following buildings and units:

- Building #3, Unit A.
- Building #3, Unit B.
- Building #3, Unit C.
- Building #3, Unit D.

PHASE III

Phase III of Country Commons Condominium has been constructed and consists of the following buildings and units:

- Building #1, Unit A
- Building #1, Unit B
- Building #1, Unit C
- Building #1, Unit D

Each building is two stories high and is constructed on a full basement. Each building will be of wood frame construction with wood clapboard exterior surface and asphalt shingle roof. Each unit is bounded by the undecorated interior surface of its perimeter walls (which includes the perimeter walls of its entry), ceiling, floor, and extends to the interior edge of its deck or patio area or a vertical line rising from the edge of its deck or patio area. The unit number, location, access to immediate common area, dimension, design (including number of rooms) and approximate area of each unit are set forth in the attached Lot Plan (Exhibit "B") and Floor Plan (Exhibit "C").

The units in Phase IV and in any successive phases, will be constructed upon the Additional Land as shown on the Lot Plan. In order to convert a portion of the Additional Land from undeveloped Common Area to individual units, an amendment to this Declaration shall be filed in the Vergennes City Land Records according to the provisions contained herein. The Declarant expressly reserves the right, during the course of construction, to revise, modify, or change in whole or in part the plans and specifications for construction; provided, however, that the Declarant shall adhere to the general scheme of development as set forth in the plans. Declarant expects but does not warrant or guarantee that the project as completed will include a total of twenty-four (24) units. Declarant reserves to itself the assigned undivided percentage interests attributable to all uncompleted units and units which have been completed but remain unsold by Declarant.

EXHIBIT C

SCHEDULE OF ASSIGNED VALUES AND PERCENTAGE INTERESTS

COUNTRY COMMONS CONDOMINIUM

<u>Building</u>	<u>Unit</u>	<u>Assigned Value</u>	<u>Assigned Percentage of Undivided Interest Per Unit</u>
1	A	\$100,000.00	8.33%
	B	\$100,000.00	8.33%
	C	\$100,000.00	8.33%
	D	\$100,000.00	8.33%
3	A	\$100,000.00	8.33%
	B	\$100,000.00	8.33%
	C	\$100,000.00	8.33%
	D	\$100,000.00	8.33%
4	A	\$100,000.00	8.33%
	B	\$100,000.00	8.33%
	C	\$100,000.00	8.33%
	D	\$100,000.00	8.33%
Value of all Units		\$1,200,000.00	100.00%

The common element interests shown above and elsewhere in this Exhibit G have been rounded off to the nearest .00001% without exceeding 100%. The interest appertaining to any Unit can be determined more precisely by dividing the assigned value of that Unit by the total aggregate assigned value of all the units as those values are shown in this Exhibit G.

In the event the Declarant elects to expand the Project as provided in Section 3 of the Declaration, all Units added to the Project shall have the following valuations:

<u>Type of Unit</u>	<u>Assigned Valuation</u>
All Units	\$100,000.00

The Percentage Interest appurtenant to each Unit of the Project shall thereafter be established in accordance with the following formula:

$$\frac{v^u}{A} = p^u$$

$p^u$  = Percentage Interest of each Unit

$v^u$  = Valuation of the respective Unit as set forth in this Exhibit G.

$A$  = Aggregate Valuation of all Units existing in the Project and added to the Project as provided in Section 3 of the Declaration.

Received for record  
06-22-89 at 10:20 A.M.  
A true copy. Attest:

*Janet Deane*  
City Clerk

I hereby certify that on the 6th day of SEPTEMBER, 1989 before me, a Notary Public in and for the State and County, personally appeared GARY F. BRAMAN, to me personally known and known to me to be the County Supervisor of the Farmers Home Administration for the State of VERMONT, County of ADDISON with office at MIDDLEBURY, and he duly acknowledged the foregoing instrument to be the act and deed of the UNITED STATES OF AMERICA and desired the same to be recorded as such.

Sworn to and subscribed before me and given under my hand and notarial seal.

*Beverly I. Duchesne*  
 Notary Public, BEVERLY I. DUCHESNE

My Commission Expires: 2/10/91

Received for record September 12, 1989 at 9:45 A.M.  
 A true copy. Attest:

*Joan Devine*  
 City Clerk

THIRD AMENDMENT

TO

COUNTRY COMMONS DECLARATION OF CONDOMINIUM

WHEREAS, DAVID CHAMBERLAIN, INC., as Declarant, has declared and established COUNTRY COMMONS CONDOMINIUM by Declaration of Country Commons Condominium dated May 26, 1988, recorded in the Vergennes City Land Records in Book 37 at Page 176-214.

WHEREAS, Declarant in said Declaration has reserved the right to amend the Declaration further to expand the Condominium by converting certain common elements to Units and Limited Common Area and to conform the Declaration to the requirements of the secondary market and Vermont law; and

WHEREAS, Declarant has finished construction of all condominium Units and Limited Common Areas; and

WHEREAS, Declarant deems it appropriate to convey all of the remaining associated lands into the condominium;

NOW THEREFORE, Declarant, pursuant to authority reserved as aforesaid, hereby amends the Declaration of Country Commons Condominium as follows:

AMENDMENT NO. 1

EXHIBIT A, THE LEGAL DESCRIPTION OF THE LAND, is amended by deleting the legal description described in Exhibit A in its entirety, and substituting therefore, the following description:

Being a portion of the same lands and premises conveyed to Declarant by Warranty Deed of David Chamberlain dated January 13, 1988 and recorded in the Vergennes City Land Records in Book 36 at Page 525-527 and by Warranty Deed of William Mace dated January 11, 1988 and recorded in the Vergennes City Land Records in Book 36 at Page 522. Said portion is more particularly described as follows:

Beginning at a point in the westerly edge of the right-of-way of Hopkins Road, said point being the southwesterly corner of Parcel #2 in the above referenced deed and going North 82 degrees 38 minutes West approximately 10 feet to a point marked by an iron pipe; Thence continuing North 82 degrees 38 minutes West along a wire fence a distance of 348.5 feet to a point; Thence turning and going North 16 degrees 55 minutes East along the westerly property line of Phase II area a distance of 463 feet to a point; Thence continuing along the property line of Phase II area North 43 degrees 35 minutes East a distance of 223.36 feet to a point marked by an iron pipe; Thence turning and going South 74 degrees 06 minutes East along the southerly boundary line of Phase I herein described a distance of 251.16 feet to a point marked by an iron pipe; Thence continuing South 74 degrees 06 minutes East approximately 10 feet to a point located in the westerly edge of the right-of-way of Hopkins Road; Thence turning and going southerly along the westerly edge of the right-of-way of Hopkins Road approximately 310 feet to the point and place of beginning.

In aid of this description, reference may be had to a Lot Plan entitled "Phase I 'As Built' Plan Country Commons Condominiums, Vergennes, Vermont", by and under seal of John H. Stuart, Professional Engineer, most recently revised February 22, 1989 and on file in the Vergennes City Land Records in Map Book 2 at Page 16.

Subject however, to the following:

1. Conditions, restrictions, reservations, limitations and easements of record as of the date hereof or existing in connection with matters shown on the Lot Plan.
2. Terms, conditions, restrictions, easements, limitations, reservations and conditions in the original Declaration of Condominium as executed on May 26, 1988 by David Chamberlain, Inc. and recorded in the Vergennes City Land Records in Book 37 and Page 176 and in each of the previously recorded Amendments to that Declaration and in this Amendment.
3. Terms and conditions as imposed in applicable governmental permits, certificates, approvals, laws, regulations and ordinances.

4. An easement reserved unto Declarant, its successors and assigns, upon, across, over and under all of the Project for ingress, egress and for installation, replacement, repair, maintenance and use of electricity, and telephone, and for connection to and use of roads, and all utility services located on, over or under the herein conveyed parcel as necessary to permit Declarant to develop the first or subsequent phases of the Project and/or to develop Parcel 1, a non contiguous two acre parcel, as described in the first above-mentioned deed.

5. The conveyance of the sewer and water mains together with an easement upon, over, across and under all of the project for ingress and egress and for the installation, replacement, repair, maintenance and use of water and sewer lines and any other utility conveyed by the Declarant to The City of Vergennes.

The terms and provisions of the Declaration of Country Commons Condominium dated May 26, 1988, and recorded in the Vergennes City Land Records in Book 37 at Pages 176-214 shall continue in full force and effect except as amended hereinabove, including without limitation, the description of the portions of real property and improvements which constitute Units, Common Area and Limited Common Area, to the extent necessary to cause the additional land to be treated as fully an integral part of the Project as if said additional land and improvements constituted a portion of the Project as of the effective date of the Declaration.

IN WITNESS WHEREOF, the Declarant has caused its corporate name to be subscribed by its proper officer and duly authorized agent this 13 day of September, 1989.

IN PRESENCE OF:

DAVID CHAMBERLAIN, INC.  
DECLARANT

Richard E. M.  
WITNESS  
James A. Duimeth  
WITNESS

BY: David Chamberlain  
David Chamberlain, Duly  
Authorized Agent

STATE OF VERMONT  
COUNTY OF ADDISON, SS.

At Vergennes, in said County, this 8 day of September, 1989, personally appeared David Chamberlain, Duly Authorized Agent of David Chamberlain, Inc., and he acknowledge the foregoing instrument, by him subscribed to be his free act and deed and the free act and deed of David Chamberlain, Inc..

Before me,

Richard E. M.  
NOTARY PUBLIC

My Commission Expires: 2/10/91

Received for record September 13, 1989 at 9:50 A.M.

A true copy. Attest:

Jean Devine  
City Clerk

#### APARTMENT UNIT DEED

TO ALL WHOM THESE PRESENTS MAY COME:

WHEREAS, COUNTRY COMMON CONDOMINIUM (the "project") is a condominium project organized pursuant to the Condominium Ownership Act of Vermont (Vermont Statutes Annotated, as amended, Chapter 15, Title 27, Section 1301 et seq.) (the "Act"); and

WHEREAS, the Declaration and Exhibits establishing the Project were dated May 26, 1988 and recorded in the Vergennes City Land Records in Book 37 at Page 176-214 (the "Declaration") on May 26, 1988; and

WHEREAS, the First Amendment to the Declaration was dated October 7, 1988 and recorded in the Vergennes City Land Records on October 7, 1988 in Book 37 at Page 467-469; and

WHEREAS, the Second Amendment to the Declaration was dated June 15, 1989 and recorded in the Vergennes City Land Records on June 22, 1989 in Book 38 at Page 328-330; and

WHEREAS, the Third Amendment to the Declaration was dated September 8, 1989 and recorded in the Vergennes City Land Records on September 13, 1989 in Book 38 at Page 471-2 and

WHEREAS, the description of the land on which the Project is located is recorded as Exhibit "A" to the Declaration and the address of the property is Hopkins Road, Vergennes, Vermont; and

WHEREAS, the use for which the Apartment Unit is intended is residential condominium and the restrictions on its use are more fully set forth in the Declaration; and

WHEREAS, the percentage of undivided interest appertaining to the Apartment Unit in the common areas and facilities is 8.33% as set forth in Exhibit "G" to the Declaration; and



For purposes hereof, "Unit Estate" means all the components of ownership held by the owner of the unit, including the rights and interest of the owner in and to the unit, the rights of use of the limited common area and the undivided interest in the common area and limited common area, together with the rights and obligations of the owner under the Declaration of Condominium, as amended, the documents of Incorporation of the Condominium Owners' Association and the By-Laws, Rules and Regulations of the Condominium Owners' Association.

Said mortgage shall otherwise remain in full force and effect.

IN WITNESS WHEREOF, the mortgagee has hereunto affixed its hand and this 12th day of February, 1990.

IN PRESENCE OF:

THE CALEDONIA NATIONAL BANK OF DANVILLE

Kathleen Perkins  
WITNESS

By:

[Signature]  
Duly Authorized Agent

Heaven Wood  
WITNESS

STATE OF VERMONT  
COUNTY OF CALEDONIA, SS.

At Danville this 12th day of February, 1990 personally appeared Stewart Gates, Duly Authorized Agent of The Caledonia National Bank of Danville and he acknowledged this instrument by him signed, to be his free act and deed and the free act and deed of The Caledonia National Bank of Danville.

Before me: Kathleen Perkins  
Notary Public

My Commission Expires: 2/10/91

Received for record Feb. 22, 1990 at  
3:50 P.M. A true copy.

Attest: Jean Devine  
City Clerk

#### FOURTH AMENDMENT

TO

#### COUNTRY COMMONS DECLARATION OF CONDOMINIUM

WHEREAS, DAVID CHAMBERLAIN, INC., as Declarant, has declared and established COUNTRY COMMONS CONDOMINIUM by Declaration of Country Commons Condominium dated May 26, 1988, recorded in the Vergennes City Land Records in Book 37 at Page 176-214.

WHEREAS, Declarant in said Declaration has reserved the right to amend the Declaration further to expand the Condominium by converting certain common elements to Units and Limited Common Area and to conform the Declaration to the requirements of the secondary market and Vermont law; and

WHEREAS, Declarant has previously completed construction of sixteen (16) condominium units in four (4) buildings, being Buildings 1, 2, 3 and 4.

WHEREAS, the lot plan and floor plans showing these buildings has previously been filed at the time of the Second Amendment.

WHEREAS, the real property necessary for construction of up to twenty-four (24) units has been conveyed by Declarant into the condominium in the Third Amendment.

Any language in the introductory paragraphs of the Third Amendment inconsistent with the introductory paragraphs above should be amended or read to be consistent herewith.

WHEREAS, the condominium units in Building 2 should now be listed in Exhibit F and Exhibit G.

NOW THEREFORE, Declarant, pursuant to authority reserved as aforesaid, hereby amends the Declaration of Country Commons Condominium as follows:

#### AMENDMENT NO. 1

EXHIBIT F, DESCRIPTION OF PHASES, BUILDING AND UNIT BOUNDARIES, COUNTRY COMMONS CONDOMINIUM, is amended by deleting Exhibit F in its entirety, and substituting therefor the attached Exhibit F.

#### AMENDMENT NO. 2

EXHIBIT G, SCHEDULE OF ASSIGNED VALUES AND PERCENTAGE INTERESTS, COUNTRY COMMONS CONDOMINIUM, is amended by deleting Exhibit G in its entirety and substituting therefor the attached Exhibit G.

IN WITNESS WHEREOF, the Declarant has caused its corporate name to be subscribed by its proper officer and duly authorized agent this 22 day of February, 1990.

IN PRESENCE OF:

DAVID CHAMBERLAIN, INC.  
DECLARANT

*Richard E. ...*  
WITNESS  
*James J. ...*  
WITNESS

BY: *David Chamberlain*  
David Chamberlain, Duly  
Authorized Agent

STATE OF VERMONT  
COUNTY OF ADDISON, SS.

At Vergennes, in said County, this 22 day of February, 1990, personally appeared David Chamberlain, Duly Authorized Agent of David Chamberlain, Inc., and he acknowledged the foregoing instrument, executed by him, to be his free act and deed and the free act and deed of David Chamberlain, Inc..

Before me, *Richard E. ...*  
NOTARY PUBLIC

My Commission Expires: 2/10/91

EXHIBIT F

DESCRIPTION OF PHASES, BUILDINGS AND UNIT BOUNDARIES

COUNTRY COMMONS CONDOMINIUM

Phase I

Phase I of Country Commons Condominium has been constructed and consists of the following buildings and units:

- Building #4, Unit A
- Building #4, Unit B
- Building #4, Unit C
- Building #4, Unit D

Phase II

Phase II of Country Commons Condominium has been constructed and consists of the following buildings and units:

- Building #3, Unit A
- Building #3, Unit B
- Building #3, Unit C
- Building #3, Unit D

Phase III

Phase III of Country Commons Condominium has been constructed and consists of the following buildings and units:

- Building #1, Unit A
- Building #1, Unit B
- Building #1, Unit C
- Building #1, Unit D

Phase IV

Phase IV of Country Commons Condominium has been constructed and consists of the following buildings and units:

- Building #2, Unit A
- Building #2, Unit B
- Building #2, Unit C
- Building #2, Unit D

Each building is two stories high and is constructed on a full basement. Each building will be of wood frame construction with wood clapboard exterior surface and asphalt shingle roof. Each unit is bounded by the undecorated interior surface of its perimeter walls (which includes the perimeter walls of its entry), ceiling, floor, and extends to the interior edge of its deck or patio area or a vertical line rising from the edge of its deck or patio area. The unit number, location, access to immediate common area, dimension, design (including number of rooms) and approximate area of each unit are set forth in the Lot Plan (Exhibit B) and Floor Plan (Exhibit C).

The units in Phase V and in any successive phases, will be constructed upon the Additional Land as shown on the Lot Plan. In order to convert a portion of the Additional Land from undeveloped Common Area to individual units, an amendment to this Declaration shall be filed in the Vergennes City Land Records according to the provisions contained herein. The Declarant expressly reserves the right, during the course of construction, to revise, modify, or change in whole or in part the plans and specification for construction; provided, however, that the Declarant shall adhere to the general scheme of development as set forth in the plans. Declarant expects but does not warrant or guarantee that the project as completed will include a total of twenty-four (24) units. Declarant reserves to itself the assigned undivided percentage interests attributable to all uncompleted units and units which have been completed but remain unsold by Declarant.

EXHIBIT G

SCHEDULE OF ASSIGNED VALUES AND PERCENTAGE INTERESTS

COUNTRY COMMONS CONDOMINIUM

<u>Building</u>	<u>Unit</u>	<u>Assigned Value</u>	<u>Assigned Percentage of Undivided Interest Per Unit</u>
1	A	\$100,000.00	6.25%
1	B	\$100,000.00	6.25%
1	C	\$100,000.00	6.25%
1	D	\$100,000.00	6.25%
2	A	\$100,000.00	6.25%
2	B	\$100,000.00	6.25%
2	C	\$100,000.00	6.25%
2	D	\$100,000.00	6.25%
3	A	\$100,000.00	6.25%
3	B	\$100,000.00	6.25%
3	C	\$100,000.00	6.25%
3	D	\$100,000.00	6.25%
4	A	\$100,000.00	6.25%
4	B	\$100,000.00	6.25%
4	C	\$100,000.00	6.25%
4	D	\$100,000.00	6.25%
Value of all units		\$1,600,000.00	100%

The common element interests shown above and elsewhere in this Exhibit G have been rounded off to the nearest .00001% without exceeding 100%. The interest appertaining to any Unit can be determined more precisely by dividing the assigned value of that Unit by the total aggregate assigned value of all the units as those values are shown in this Exhibit G.

In the event the Declarant elects to expand the Project as provided in Section 3 of the Declaration, all Units added to the Project shall have the following valuations:

<u>Type of Unit</u>	<u>Assigned Valuation</u>
All Units	\$100,000.00

The percentage interest appurtenant to each Unit of the Project shall thereafter be established in accordance with the following formula:

$$\frac{u}{v} = \frac{u}{A} = P$$

$u$  = Percentage Interest of each Unit

$v$  = Valuation of the respective Unit as set forth in this Exhibit G

$A$  = Aggregate Valuation of all Units existing in the Project and added to the Project as provided in Section 3 of the Declaration.

Received for record Feb. 22, 1990 at 3:50 P.M. A true copy.

Attest:   
City Clerk

APARTMENT UNIT DEED

TO ALL WHOM THESE PRESENTS MAY COME:

WHEREAS, COUNTRY COMMONS CONDOMINIUM (the "project") is a condominium project organized pursuant to the Condominium Ownership Act of Vermont (Vermont Statutes Annotated, as amended, Chapter 15, Title 27, Section 1301 et seq.) (the "Act"); and

WHEREAS, the Declaration and Exhibits establishing the Project were dated May 26, 1988 and recorded in the Vergennes City Land Records in Book 37 at Page 176-214 (the "Declaration") on May 26, 1988; and

WHEREAS, the First Amendment to the Declaration was dated October 7, 1988 and recorded in the Vergennes City Land Records on October 7, 1988 in Book 37 at Page 467-469; and

WHEREAS, the Second Amendment to the Declaration was dated June 15, 1989 and recorded in the Vergennes City Land Records on June 22, 1989 in Book 38 at Page 328-330; and

WHEREAS, the Third Amendment to the Declaration was dated September 8, 1989 and recorded in the Vergennes City Land Records on September 13, 1989 in Book 38 at Page 471; and

WHEREAS, the Fourth Amendment to the Declaration was dated February 22, 1990 and recorded in the Vergennes City Land Records on February 22, 1990 in Book 39 at Page 105-7; and

TRUST ACKNOWLEDGMENT

STATE OF Vermont

COUNTY OF Addison

1888

At Vergennes, this 17th day of November, 20 02, personally appeared ELIZABETH B. BICKNELL, TRUSTEE of ELIZABETH B. BICKNELL AS TRUSTEE OF THE ELIZABETH B. BICKNELL REVOCABLE TRUST, an authorized trustee or agent of said trust, signer and sealor of the foregoing written instrument, and acknowledged the same to be the free act and deed of said trust.

Before me: Tamela Hay  
Notary Public 2/10/03.

Received for record November 18, 2002 at 10:05 a.m.

A true copy.  
Attest: [Signature]  
Vergennes City Clerk, Ass't.

FIFTH AMENDMENT  
TO  
COUNTRY COMMONS DECLARATION OF CONDOMINIUM

WHEREAS, the UNIT OWNERS of COUNTRY COMMONS CONDOMINIUM, ALL MORTGAGEES OF RECORD and HOUSTON ENTERPRISES, INC., successor in interests to L.A.M. & Associates, successor in interests to David Chamberlain, Inc. which DECLARED and established COUNTRY COMMONS CONDOMINIUM by Declaration of Country Commons Condominium dated May 26, 1988, recorded in the Vergennes City Land Records in Book 37 at Page 176-214 wish to Amend the Country Commons Declaration of Condominium; and

WHEREAS, the construction of sixteen (16) condominium units in four (4) buildings, being Buildings 1, 2, 3, and 4 have been previously completed; and

WHEREAS, HOUSTON ENTERPRISES, INC. has completed construction of an additional four (4) condominium units in a fifth building, being Building 5; and

WHEREAS, the lot plan and floor plans showing Buildings 1, 2, 3 and 4 have been filed at the time of the Second Amendment; and

WHEREAS, the floor plan of Building Five (5) is to be recorded at or near even date herewith as an Amendment to Exhibit C; and

WHEREAS, a revised lot plan showing the location of Building Five (5) is to be recorded at or near even date herewith as an Amendment to Exhibit B; and

WHEREAS, the real property necessary for construction of up to eight (8) additional units has been conveyed by the original Declarant, its successors or assigns, into the condominium in the Third Amendment; and

WHEREAS, any language in the Declaration of Condominium and any Amendments thereto inconsistent with the introductory paragraphs above should be amended or read to be consistent herewith; and

WHEREAS, additional land is required for the positioning of Building Five (5) within the Condominium; and

WHEREAS, the Condominium Units in Building Five (5) should now be listed in Exhibit F and Exhibit G; and

WHEREAS, a sixth and final building containing four (4) condominium units, being Building Six (6) is contemplated to complete the construction of the total of twenty-four (24) units of Country Commons Condominium; and

WHEREAS, Owners of the Units of Country Commons Condominium, all mortgagees of record, and Houston Enterprises, Inc. wish to complete and finalize the construction of Units in the Country Commons Condominium Development;

NOW THEREFORE, the Owners of the Units of Country Commons Condominium, all mortgagees of record and Houston Enterprises, Inc. hereby amend the Declaration of Country Commons Condominium as follows:

AMENDMENT NO. 1

EXHIBIT F, DESCRIPTION OF PHASES, BUILDING AND UNIT BOUNDARIES, COUNTRY COMMONS CONDOMINIUM, is amended by deleting Exhibit F in its entirety, and substituting the attached Exhibit F.

AMENDMENT NO. 2

EXHIBIT G, SCHEDULE OF ASSIGNED VALUES AND PERCENTAGE INTERESTS, COUNTRY COMMONS CONDOMINIUM, is amended by deleting Exhibit G in its entirety and substituting therefore the attached Exhibit G.

AMENDMENT NO. 3

EXHIBIT C, FLOOR PLAN, COUNTRY COMMONS CONDOMINIUM, is amended by the addition of the as built floor plan for Building Five (5) on the attached Exhibit C. Said as built floor plan is entitled "Country Commons Units, Hopkins Road, Vergennes, Vt., First Floor Plan as built (a/b)" consisting of Drawing A No. 1 a/b dated 29 September, '02; and "Country Commons Units, Hopkins Road, Vergennes, Vt., Second Floor Plan as built (a/b)" Drawing A No. 2 a/b dated 6 October, '02, prepared by Martin Harris, Jr., R.A., Vermont License #335.

AMENDMENT NO. 4

EXHIBIT B, LOT PLAN, COUNTRY COMMONS CONDOMINIUM, is amended by the addition of the lot plan showing the location of Building Five (5) and the additional land to be added to the Condominium on the attached Exhibit B entitled: "Phase I As Built Plan, Country Commons Condominiums" prepared by G. E. Bedard, Inc., Hinesburg, VT, dated May 19, 1988, Revised 11/1/88, Revised 2/22/89, Revised 10/11/02.

AMENDMENT NO. 5

CONTEMPLATING the completion of Building Six (6), which will complete construction of Country Commons Condominium, Section 3.9 of the Declaration is Amended to allow the Declarant to Amend the Declaration without further need for consent from the Unit Owners, mortgagees or Condominium Association if the

Conditions Precedent to Filing of Amendment of Section 3.8 are satisfied said Amendment is solely for the purpose of :

- a) amending Exhibit F to provide a final description of phases, buildings and unit boundaries
- b) amending Exhibit G to reflect the changed schedule of assigned values and percentage interests of each unit
- c) amending Exhibit C, showing the as built floor plan of Unit Six (6)
- d) amending Exhibit B, if necessary, indicating the final, as built, location of all buildings

AMENDMENT NO. 6

HOUSTON ENTERPRISES, INC., is hereby instated as Successor Declarant and vested with all powers and control granted the original Declarant as more fully set forth in the aforementioned Declaration.

AMENDMENT NO. 7

EXHIBIT A, THE LEGAL DESCRIPTION OF THE LAND, is amended to add a small parcel of land needed to correctly position Building Five (5) within the Condominium as follows:

Being a portion of all and the same lands and premises conveyed to Houston Enterprises, Inc. by Warranty Deed of L. A.,M. Associates dated 8/14/00 and recorded in Book 49, Page 417 of the City of Vergennes Land Records. Said lands and premises being more particularly described as follows:

Being a rectangular parcel of land of six-teaths of an acre, plus or minus, identified on the above referenced amended lot plan on the attached Exhibit B entitled: "Phase I As Built Plan, Country Commons Condominiums" prepared by G. E. Bedard, Inc., Hinesburg, VT, dated May 19, 1988, Revised 11/1/88, Revised 2/22/89, Revised 10/11/02. Said rectangular parcel is labeled: "Add-on to Phase I, .06 AC. +- " and has an easterly boundary of 192.52 feet, a northerly boundary of 15.00 feet, a westerly boundary of 190.00 feet and a southerly boundary of 15.21 feet.

EXHIBIT F

DESCRIPTION OF PHASES, BUILDINGS AND UNIT BOUNDARIES

COUNTRY COMMONS CONDOMINIUM

Phase I

Phase I of Country Commons Condominium has been constructed and consists of the following building and units:

- Building #4, Unit A
- Building #4, Unit B
- Building #4, Unit C
- Building #4, Unit D

Phase II

Phase II of Country Commons Condominium has been constructed and consists of the following building and units:

- Building #3, Unit A
- Building #3, Unit B
- Building #3, Unit C
- Building #3, Unit D

Phase III

Phase III of Country Commons Condominium has been constructed and consists of the following building and units:

- Building #1, Unit A
- Building #1, Unit B
- Building #1, Unit C
- Building #1, Unit D

Phase IV

Phase IV of Country Commons Condominium has been constructed and consists of the following building and units:

- Building #2, Unit A
- Building #2, Unit B
- Building #2, Unit C
- Building #2, Unit D

Phase V

Phase V of Country Commons Condominium has been constructed and consists of the following building and units:

- Building #5, Unit A
- Building #5, Unit B
- Building #5, Unit C
- Building #5, Unit D

Each building is two stories high and is constructed on a full basement. Each building is, or will be, of wood frame construction and asphalt shingle roof. Each unit is bounded by the undecorated interior surface of its perimeter walls (which includes the perimeter walls of its entry), ceiling, floor, and extends to the interior edge of its deck or patio area or a vertical line rising from the edge of its deck or patio area. The unit number, location, access to immediate common area, dimension, design (including number or rooms) and approximate area of each unit are set forth in the Lot Plan (Exhibit B) and Floor Plan (Exhibit C and amendment thereto showing Floor Plan for Unit 5 to be recorded).

The units in Building 5 have been, and any successive buildings, will be constructed upon the Land as shown on the Lot Plan. In order to convert a portion of the Land from undeveloped Common Area to individual units, an amendment to this Declaration shall be filed in the Vergennes City Land Records according to the provisions contained herein. The Declarant expressly reserves the right, during the course of construction, to revise, modify or change in whole or in part the plans and specifications for construction; provided, however, that the Declarant shall adhere to the general scheme of development as set forth in the plans. Declarant expects, but does not warrant or guarantee that the project as completed will include a total of twenty-four (24) units. Declarant reserves to itself the assigned undivided percentage interest attributable to all uncompleted units and units which have been completed but remain unsold by Declarant.

EXHIBIT G

SCHEDULE OF ASSIGNED VALUES AND PERCENTAGE INTERESTS

COUNTRY COMMONS CONDOMINIUM

BUILDING	UNIT	ASSIGNED VALUE	ASSIGNED PERCENTAGE OF UNDIVIDED INTEREST PER UNIT
1	A	\$100,000.00	5%
1	B	\$100,000.00	5%
1	C	\$100,000.00	5%
1	D	\$100,000.00	5%
2	A	\$100,000.00	5%
2	B	\$100,000.00	5%
2	C	\$100,000.00	5%
2	D	\$100,000.00	5%
3	A	\$100,000.00	5%
3	B	\$100,000.00	5%
3	C	\$100,000.00	5%
3	D	\$100,000.00	5%

4	A	\$100,000.00	5%
4	B	\$100,000.00	5%
4	C	\$100,000.00	5%
4	D	\$100,000.00	5%
5	A	\$100,000.00	5%
5	B	\$100,000.00	5%
5	C	\$100,000.00	5%
5	D	\$100,000.00	5%
Value of all units:		\$2,000,000.00	100%

The common element interests shown above and elsewhere in this Exhibit G have been rounded off to the nearest .00001% without exceeding 100%. The interest appertaining to any Unit can be determined more precisely by dividing the assigned value of that Unit by the total aggregate assigned value of all the Units as those values are shown in this Exhibit G.

In the event the Declarant elects to expand the Project as provided in Section 3 of the Declaration, all Units added to the Project shall have the following valuations:

Type of Unit: Assigned Valuation:  
 All units \$100,000.00

The percentage Interest appurtenant to each Unit of the Project shall thereafter be established in accordance with the following formula:

$$V^U/A = P^U$$

V<sup>U</sup> Valuation of the respective Unit as set forth in this Exhibit G

P<sup>U</sup> Percentage Interest in each Unit

A Aggregate Valuation of all Units existing in the Project and added to the Project as provided in Section 3 of the Declaration

IN PRESENCE OF:

HOUSTON ENTERPRISES, INC.

Christy A. Houston  
 WITNESS

BY: William G. Houston  
 William G. Houston, President  
 Duly Authorized Agent

STATE OF VERMONT  
 COUNTY OF Addison, ss

At Vergennes, this 20 day of October, 2002 William G. Houston, Duly Authorized Agent of HOUSTON ENTERPRISES, INC. personally appeared, and acknowledged this instrument, by him sealed and subscribed, to be his free act and deed and that of HOUSTON ENTERPRISES, INC.

Commission expires: 2/10/03

BUILDING I UNIT A Before me: Christy A. Houston  
 Notary Public

IN PRESENCE OF:

Christy A. Houston  
 WITNESS

Edward W. Hughes  
 EDWARD W. HUGHES

STATE OF VERMONT  
 COUNTY OF Addison, ss

At Vergennes, this 22 day of October, 2002 EDWARD W. HUGHES, personally appeared, and acknowledged this instrument, by him sealed and subscribed, to be his free act and deed.

Before me: Christy A. Houston  
 Notary Public

Commission expires: 2/10/03

At VERMONT, this 21 day of October, 2002 KATHL. KNAB, personally appeared, and acknowledged this instrument, by her sealed and subscribed, to be her free act and deed.

Before me: Christy A. Houston  
 Notary Public  
 Commission expires: 2/10/03

BUILDING I UNIT B  
 IN PRESENCE OF:  
Christy A. Houston  
 WITNESS

Roshl Knab  
 ROSHL KNAB

C. Public Liability Insurance. Borrower shall take such actions as may be reasonable to insure that the Owners Association maintains a public liability insurance policy acceptable in form, amount, and extent of coverage to Lender.

D. Condemnation. The proceeds of any award or claim for damages, direct or consequential, payable to Borrower in connection with any condemnation or other taking of all or any part of the Property, whether of the unit or of the common elements, or for any conveyance in lieu of condemnation, are hereby assigned and shall be paid to Lender. Such proceeds shall be applied by Lender to the sums secured by the Security Instrument as provided in Section 11.

E. Lender's Prior Consent. Borrower shall not, except after notice to Lender and with Lender's prior written consent, either partition or subdivide the Property or consent to: (i) the abandonment or termination of the Condominium Project, except for abandonment or termination required by law in the case of substantial destruction by fire or other casualty or in the case of a taking by condemnation or eminent domain; (ii) any amendment to any provision of the Constituent Documents if the provision is for the express benefit of Lender; (iii) termination of professional management and assumption of self-management of the Owners Association; or (iv) any action which would have the effect of rendering the public liability insurance coverage maintained by the Owners Association unacceptable to Lender.

F. Remedies. If Borrower does not pay condominium dues and assessments when due, then Lender may pay them. Any amounts disbursed by Lender under this paragraph F shall become additional debt of Borrower secured by the Security Instrument. Unless Borrower and Lender agree to other terms of payment, these amounts shall bear interest from the date of disbursement at the Note rate and shall be payable, with interest, upon notice from Lender to Borrower requesting payment.

BY SIGNING BELOW, Borrower accepts and agrees to the terms and provisions contained in this Condominium Rider.

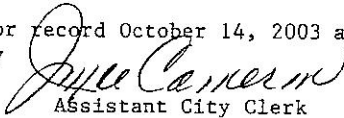
  
Lisa T Saunders (Seal)  
-Borrower

\_\_\_\_\_  
(Seal)  
-Borrower

Received for record October 14, 2003 at 10:45 a.m.

A true copy

Attest:

  
Assistant City Clerk

SIXTH AMENDMENT  
TO  
COUNTRY COMMONS DECLARATION OF CONDOMINIUM

WHEREAS, HOUSTON ENTERPRISES, INC., successor in interests to L.A.M. & Associates, successor in interests to David Chamberlain, Inc. which DECLARED and established COUNTRY COMMONS CONDOMINIUM by Declaration of Country Commons Condominium dated May 26, 1988, recorded in the Vergennes City Land Records in Book 37 at Page 176-214 wish to Amend the Country Commons Declaration of Condominium; and

WHEREAS, the construction of twenty (20) condominium units in five (5) buildings, being Buildings 1, 2, 3, 4 and 5 have been previously completed; and

WHEREAS, HOUSTON ENTERPRISES, INC. has completed construction of an additional four (4) condominium units in a sixth building, being Building 6; and

WHEREAS, the lot plan and floor plans showing Buildings 1, 2, 3 and 4 have been filed at the time of the Second Amendment ; and

WHEREAS, a revised lot plan showing the location of Building Five (5) entitled : "Phase I 'As Built' Plan, Country Commons Condominiums" dated October 11, 2002 is recorded at Map Book 3, Page 10 A, B & C as an Amendment to Exhibit B; and

WHEREAS, a further revised lot plan showing the location of Building Six (6) and the property lines of the Condominium dated September 29, 2003 is to be recorded at or near even date herewith as an Amendment to Exhibit B; and

WHEREAS, the floor plans of Building Five (5) are recorded in Map Book 3, Page 10 A, B & C as an Amendment to Exhibit C; and

WHEREAS, the floor plans of Building Six (6) dated October 2, 2003 are to be recorded at or near even date herewith as an Amendment to Exhibit C; and

WHEREAS, the Condominium Units in Building Six (6) should now be listed in Exhibit F and Exhibit G; and

WHEREAS, this is the sixth and final building containing four (4) condominium units, being Building Six (6) completing the construction of the total of twenty-four (24) units of Country Commons Condominium;

NOW THEREFORE, Houston Enterprises, Inc. hereby amends the Declaration of Country Commons Condominium as follows:

AMENDMENT NO. 1

EXHIBIT F, DESCRIPTION OF PHASES, BUILDING AND UNIT BOUNDARIES, COUNTRY COMMONS CONDOMINIUM, is amended by deleting Exhibit F in its entirety, and substituting the attached Exhibit F.

AMENDMENT NO. 2

EXHIBIT G, SCHEDULE OF ASSIGNED VALUES AND PERCENTAGE INTERESTS, COUNTRY COMMONS CONDOMINIUM, is amended by deleting Exhibit G in its entirety and substituting therefore the attached Exhibit G.



AMENDMENT NO. 3

EXHIBIT C, FLOOR PLAN, COUNTRY COMMONS CONDOMINIUM, is amended by the addition of the as built floor plan for Building Six (6) on the attached Exhibit C. Said as built floor plan is entitled "Country Commons Condominium Units, Hopkins Road, Vergennes, Vt., First Floor Plan, As Built" consisting of Drawing A No. 1 a/b dated 2 October 03; and "Country Commons Units, Hopkins Road, Vergennes, Vt., Second Floor Plan, As Built" Drawing A No. 2 a/b dated 2 October, '03, prepared by Martin Harris, Jr., R.A., Vermont License #335.

AMENDMENT NO. 4

EXHIBIT B, LOT PLAN, COUNTRY COMMONS CONDOMINIUM, is amended by the addition of the lot plan showing the location of Building Six (6) and the property lines of the Condominium on the attached Exhibit B entitled: "Phase I 'As Built' Plan, Country Commons Condominiums" prepared by G. E. Bedard, Inc., Hinesburg, VT, dated 5/19/88, Revised 11/1/88, Revised 2/22/89, Revised 10/11/02, Revised 9/29/03.

EXHIBIT F

DESCRIPTION OF PHASES, BUILDINGS AND UNIT BOUNDARIES

COUNTRY COMMONS CONDOMINIUM

Phase I (Note: for identification purposes, the buildings are labeled as phases I-VI in this exhibit; however, the plan identifies the project as a whole as Phase I to identify the parcel subject to this declaration)

Phase I of Country Commons Condominium has been constructed and consists of the following building and units:

Building #4, Unit A  
Building #4, Unit B  
Building #4, Unit C  
Building #4, Unit D

Phase II

Phase II of Country Commons Condominium has been constructed and consists of the following building and units:

Building #3, Unit A  
Building #3, Unit B  
Building #3, Unit C  
Building #3, Unit D

Phase III

Phase III of Country Commons Condominium has been constructed and consists of the following building and units:

Building #1, Unit A  
Building #1, Unit B  
Building #1, Unit C  
Building #1, Unit D

Phase IV

Phase IV of Country Commons Condominium has been constructed and consists of the following building and units:

Building #2, Unit A  
Building #2, Unit B  
  
Building #2, Unit C  
Building #2, Unit D

Phase V

Phase V of Country Commons Condominium has been constructed and consists of the following building and units:

Building #5, Unit A  
Building #5, Unit B  
Building #5, Unit C  
Building #5, Unit D

Phase VI

Phase VI of Country Commons Condominium has been constructed and consists of the following building and units:

Building #6, Unit A  
Building #6, Unit B  
Building #6, Unit C  
Building #6, Unit D

Each building is two stories high and is constructed on a full basement. Each building is, or will be, of wood frame construction and asphalt shingle roof. Each unit is bounded by the undecorated interior surface of its perimeter walls (which includes the perimeter walls of its entry), ceiling, floor, and extends to the interior edge of its deck or patio area or a vertical line rising from the edge of its deck or patio area. The unit number, location, access to immediate common area, dimension, design (including number or rooms) and approximate area of each unit are set forth in the Lot Plan (Exhibit B) and Floor Plan (Exhibit C) and amendment thereto showing Floor Plan for Building 6 to be recorded.

The units in Building Six (6) have been, and any successive buildings, will be constructed upon the Land as shown on the Lot Plan. In order to convert a portion of the Land from undeveloped Common Area to individual units, an amendment to this Declaration shall be filed in the Vergennes City Land Records according to the provisions contained herein. The Declarant expressly reserves the right, during the course of construction, to revise, modify or change in whole or in part the plans and specifications for construction; provided, however, that the Declarant shall adhere to the general scheme of development as set forth in the plans. Declarant expects, but does not warrant or guarantee that the project as completed will include a total of twenty-four (24) units. Declarant reserves to itself the assigned undivided percentage interest attributable to all uncompleted units and units which have been completed but remain unsold by Declarant.

EXHIBIT G

SCHEDULE OF ASSIGNED VALUES AND PERCENTAGE INTERESTS

COUNTRY COMMONS CONDOMINIUM

BUILDING	UNIT	ASSIGNED VALUE	ASSIGNED PERCENTAGE OF UNDIVIDED INTEREST PER UNIT
1	A	\$100,000.00	4.16666%
1	B	\$100,000.00	4.16666%
1	C	\$100,000.00	4.16666%
1	D	\$100,000.00	4.16666%
2	A	\$100,000.00	4.16666%
2	B	\$100,000.00	4.16666%
2	C	\$100,000.00	4.16666%
2	D	\$100,000.00	4.16666%
3	A	\$100,000.00	4.16666%
3	B	\$100,000.00	4.16666%
3	C	\$100,000.00	4.16666%
3	D	\$100,000.00	4.16666%
4	A	\$100,000.00	4.16666%
4	B	\$100,000.00	4.16666%
4	C	\$100,000.00	4.16666%
4	D	\$100,000.00	4.16666%
5	A	\$100,000.00	4.16666%
5	B	\$100,000.00	4.16666%
5	C	\$100,000.00	4.16666%
5	D	\$100,000.00	4.16666%
6	A	\$100,000.00	4.16666%
6	B	\$100,000.00	4.16666%
6	C	\$100,000.00	4.16666%
6	D	\$100,000.00	4.16666%
Value of all units:		\$2,400,000.00	100%

The common element interests shown above and elsewhere in this Exhibit G have been rounded off to the nearest .00001% without exceeding 100%. The interest appertaining to any Unit can be determined more precisely by dividing the assigned value of that Unit by the total aggregate assigned value of all the Units as those values are shown in this Exhibit G.

In the event the Declarant elects to expand the Project as provided in Section 3 of the Declaration, all Units added to the Project shall have the following valuations:

Type of Unit:	Assigned Valuation:
All units	\$100,000.00

The percentage Interest appurtenant to each Unit of the Project shall thereafter be established in accordance with the following formula:

$$V^U/A = P^U$$

$V^U$  = Valuation of the respective Unit as set forth in this Exhibit G

$P^U$  = Percentage Interest in each Unit

A = Aggregate Valuation of all Units existing in the Project and added to the Project as provided in Section 3 of the Declaration

IN PRESENCE OF:

HOUSTON ENTERPRISES, INC.

James A. Duimette  
WITNESS

BY: Constance T. Houston  
Constance T. Houston, Secretary  
Duly Authorized Agent

STATE OF VERMONT  
COUNTY OF CHITENDEN, ss

At Essex Junction, this 9th day of October, 2003 Constance T.

Houston, Secretary and Duly Authorized Agent of HOUSTON ENTERPRISES, INC.

personally appeared, and acknowledged this instrument, by him sealed and subscribed, to

be his free act and deed and that of HOUSTON ENTERPRISES, INC.

Commission expires: 2/10/07

Before me: James A. Duimette  
Notary Public

CERTIFICATE AS TO SATISFACTION OF CONDITIONS PRECEDENT TO FILING  
THE SIXTH AMENDMENT TO  
COUNTRY COMMONS DECLARATION OF CONDOMINIUM

HOUSTON ENTERPRISES, INC., successor in interests to L.A.M. & Associates,  
successor in interests to David Chamberlain, Inc. which DECLARED and  
established COUNTRY COMMONS CONDOMINIUM by Declaration of  
Country Commons Condominium dated May 26, 1988, recorded in the Vergennes  
City Land Records in Book 37 at Page 176-214 hereby certifies as follows:

All improvements have been constructed in a good and workmanlike manner and the  
improvements are substantially complete and have been constructed in a manner  
substantially consistent with the quality of construction of the existing Units,  
Limited Common Areas and Common Areas comprising the original Project; and

No person who has rendered services or provided materials in regard to the construction  
of the improvements on the real property has any claim which may constitute a  
lien on any portion of the Project, including the real estate and improvements to  
be added thereto.

Reference is made to a certification by Martin S. Harris, Jr., R.A., License #335  
regarding the as built floor plans entitled "Country Commons Condominium  
Units, Hopkins Road, Vergennes, Vt., First Floor Plan, As Built" consisting of  
Drawing A No. 1 a/b dated 2 October 03; and "Country Commons Units, Hopkins  
Road, Vergennes, Vt., Second Floor Plan, As Built" Drawing A No. 2 a/b dated 2  
October, '03, prepared by Martin Harris, Jr., R.A., Vermont License #335.

IN PRESENCE OF:

HOUSTON ENTERPRISES, INC.

James A. Duimette  
WITNESS

BY: Constance T. Houston  
~~William G. Houston, President~~  
Duly Authorized Agent  
Constance T. Houston

STATE OF VERMONT  
COUNTY OF CHITENDEN, ss

At Essex Junction, this 9th day of October, 2003 Constance T. Houston  
~~William G. Houston,~~

Duly Authorized Agent of HOUSTON ENTERPRISES, INC. personally appeared, and  
acknowledged this instrument, by him sealed and subscribed, to be his free act and deed

and that of HOUSTON ENTERPRISES, INC.

Commission expires: 2/10/07 Before me: James A. Duimette  
Notary Public

Received for record October 14, 2003 at 10:55 a.m.

A true copy

Attest:

Joelle Casserman  
Assistant City Clerk

(8) No Permit issued by the Secretary shall be valid for a substantially complete potable water supply and wastewater system until the Secretary receives a certification from a designer or the installer, signed and dated, that states:

"I hereby certify that, in exercise of my reasonable professional judgement, the installation-related information submitted is true and correct and the potable water supply and wastewater systems were installed in accordance with the permitted design and all permit conditions, were inspected, were properly tested, and have successfully met those performance tests."

(9) The conditions of this permit shall run with the land and will be binding upon and enforceable against the permittee and all assigns and successors in interest. The permittee shall be responsible for recording this permit in the Land Records within 30 days of issuance of this permit and prior to the conveyance of any lot subject to the jurisdiction of this permit.


(10) By acceptance of this permit, the permittee agrees to allow representatives of the State of Vermont access to the property covered by the permit, at reasonable times, for the purpose of ascertaining compliance with Vermont environmental/health statutes and regulations, and with this permit.

(11) In the event of a transfer of ownership (partial or whole) of this project, the transferee shall become permittee and subject to compliance with the terms and conditions of this permit.

(12) This permit does not constitute Act 250 approval (Title 10 V.S.A., Chapter 151). The permittee is hereby reminded to procure all relevant State and local permits prior to proceeding with this project.

(13) This permit shall in no way relieve the permittee of the obligations of Title 10, Chapter 48, Subchapter 4, for the protection of groundwater.

Jeffrey Wennberg, Commissioner  
Department of Environmental Conservation



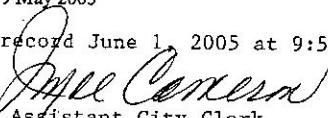
Marsha J. Thompson  
Assistant Regional Engineer

Dated at Rutland, Vermont, 9 May 2005

Received for record June 1, 2005 at 9:50 a.m.

A True Copy,

Attest:



Assistant City Clerk

SEVENTH AMENDMENT  
TO

COUNTRY COMMONS DECLARATION OF CONDOMINIUM

WHEREAS, the UNIT OWNERS of COUNTRY COMMONS CONDOMINIUM and HOUSTON ENTERPRISES, INC., successor in interests to L.A.M. & Associates, successor in interests to David Chamberlain, Inc. which DECLARED and established COUNTRY COMMONS CONDOMINIUM by Declaration of Country Commons Condominium dated May 26, 1988, recorded in the Vergennes City Land Records in Book 37 at Page 176-214 wish to Amend the Country Commons Declaration of Condominium; and

WHEREAS, the construction of twenty-four (24) condominium Units in six (6) buildings, being Buildings 1, 2, 3, 4, 5 and 6 have been previously completed; and

WHEREAS, the lot plan and floor plans showing Buildings 1, 2, 3 and 4 have been filed at the time of the Second Amendment; and

WHEREAS, a revised lot plan showing the location of Building Five (5) entitled: "Phase I 'As Built' Plan, Country Commons Condominiums" dated October 11, 2002 is recorded at Map Book 3, Page 10 A, B & C as an Amendment to Exhibit B; and

WHEREAS, a further revised lot plan showing the location of Building Six (6) and the property lines of the Condominium dated September 29, 2003 is recorded at Map Book 3, Page 14A as an Amendment to Exhibit B; and

WHEREAS, the floor plans of Building Five (5) are recorded in Map Book 3, Page 10 A, B & C as an Amendment to Exhibit C; and

WHEREAS, the floor plans of Building Six (6) dated October 2, 2003 are recorded at Map Book 3, Page 14B&C as an Amendment to Exhibit C; and

WHEREAS, the Declaration and Exhibits establishing the Project were dated May 26, 1988 and recorded in the Vergennes City Land Records in Book 37 at Page 176-214 (the "Declaration") on May 26, 1988; and

WHEREAS, the First Amendment to the Declaration was dated October 7, 1988 and recorded in the Vergennes City Land Records on October 7, 1988 in Book 37 at Page 467-469; and

WHEREAS, the Second Amendment to the Declaration was dated June 15, 1989 and recorded in the Vergennes City Land Records on June 22, 1989 in Book 38 at Page 328-330; and

WHEREAS, the Third Amendment to the Declaration was dated September 8, 1989 and recorded in the Vergennes City Land Records on September 13, 1989 in Book 38 at Page 471-472; and

WHEREAS, the Fourth Amendment to the Declaration was dated February 22, 1990 and recorded in the Vergennes City Land Records on February 22, 1990 in Book 39 at Page 105-107; and

WHEREAS, the Fifth Amendment to the Declaration was dated October 20, 2002 and recorded in the Vergennes City Land Records on November 19, 2002 in Book 54 at Page 165; and

WHEREAS, the Sixth Amendment to the Declaration is dated October 9, 2003 and recorded in the Vergennes City Land Records on October 14, 2003 in Book 57 at Page 54; and

WHEREAS, the construction of a total of twenty-four (24) Units in six (6) buildings of Country Commons Condominium have been completed; and

WHEREAS, the construction of an additional twenty (20) Units in five (5) buildings, with associated twenty (20) parking spaces in five (5) garage structures is contemplated; and

WHEREAS, additional land is required to be added to the Condominium for construction of the twenty Units; and

WHEREAS, any language in the Declaration of Condominium and any Amendments thereto inconsistent with the introductory paragraphs above should be amended or read to be consistent herewith; and

WHEREAS, the Owners of the Units of Country Commons Condominium and Houston Enterprises, Inc. wish to complete the originally contemplated total of forty-four (44) Units;

NOW THEREFORE, the UNIT OWNERS of COUNTRY COMMONS CONDOMINIUM and Houston Enterprises, Inc. hereby amends the Declaration of Country Commons Condominium as follows:

#### AMENDMENT NO. 1

CONTEMPLATING the construction of twenty (20) additional Units as described above, Section 3.9 of the Declaration is Amended to allow the Declarant, without further need for consent from the Unit Owners or Condominium Association, if the required Conditions Precedent to Filing of Amendment of Section 3.8 are satisfied, to amend the Declaration for the purpose of:

- a) amending Exhibit F to provide a description of phases, buildings and Unit boundaries;
- b) amending Exhibit G to reflect the changed schedule of assigned values and percentage interests of each Unit;
- c) amending Exhibit C, showing the as built floor plan of the Units;
- d) amending exhibit B indicating the final, as built, location of all buildings and roads and improvements associated therewith;
- e) amending exhibit A to add lands necessary for the completion of the twenty Units and buildings, roads and improvements associated therewith;
- f) amendments required for all easements, roadways, utilities etc necessary for the completing of the additional Units.

#### AMENDMENT NO. 2

NOTWITHSTANDING, the time limitations of Section 3.9 of the Declaration, Section 3.9 is amended to allow the Declarant to amend, as outlined above in Amendment No. 1 of this Seventh Amendment to the Declaration of Condominium of Country Commons Condominium, and, therefore, to complete construction of said Units, without further consent of the Unit Owners or Condominium Association, through December 31, of 2012. The Declarant expects, but does not guarantee the construction of the twenty Units.

Should the Declarant, in good faith, believe an extension of the completion date is required because of exigent circumstances, Declarant shall notify the Condominium Association within six (6) months of the December 31, 2012 deadline and shall have sufficient time necessary to complete said Units and file Amendments, but, in no case, shall this extension exceed June 30, 2014 without consent of the Condominium Owners Association Board of Directors.

#### AMENDMENT NO. 3

HOUSTON ENTERPRISES, INC., as Successor Declarant, is affirmed as being vested with all powers and control granted the original Declarant as more fully set forth in the aforementioned Declaration for the purposes of completing the additional twenty (20) Units with associated roads, buildings and improvements.

#### AMENDMENT NO. 4

ANY language in the Declaration of Condominium and any Amendments thereto inconsistent with this Seventh Amendment to the Declaration should be amended to read to be consistent herewith.

AMENDMENT NO. 5

EXHIBIT A, THE LEGAL DESCRIPTION OF THE LAND, is amended to add a parcel of land necessary for the construction of the twenty (20) additional Units and associated buildings and infrastructure. Being a portion of, and all the remaining lands conveyed to Houston Enterprises, Inc. by Warranty Deed of L. A. M. Associates dated 8/14/00 and recorded in Book 49, Page 417 of the City of Vergennes Land Records. Said lands and premises being more particularly described as follows:

Beginning at the most Northwesterly point of the above described property, in the centerline of Vermont Route 22A, and continuing N 60°32'49" E a distance of 316.31'; thence N 57°33'49" E a distance of 175.17'; thence N 54°50'49" E a distance of 192.70'; thence S 36°02'11" E a distance of 27.66'; thence S 36°02'11" E a distance of 183.56'; thence S 44°31'59" W 223.48'; thence S 17°50'04" W a distance of 273.00'; thence N 72°09'56" W a distance of 15.00'; thence S 17°50'04" W a distance of 192.52'; thence N 81°42'56" W a distance of 375.15'; thence N 39°47'49" E a distance of 199.42'; thence N 36°21'12" W a distance of 199.65'; thence N 36°21'14" W a distance of 49.87' to the point and place of beginning.

IN PRESENCE OF:

HOUSTON ENTERPRISES, INC.

Galen A. Jonathan  
WITNESS

BY: Constance T. Houston  
Constance T. Houston, Secretary  
Duly Authorized Agent

STATE OF VERMONT  
COUNTY OF ADDISON, ss

At Middlebury, VT, this 4<sup>th</sup> day of November, 2004 Constance T.

Houston, Secretary and Duly Authorized Agent of HOUSTON ENTERPRISES, INC.

personally appeared, and acknowledged this instrument, by her sealed and subscribed, to

be her free act and deed and that of HOUSTON ENTERPRISES, INC.

Commission expires: 2/10/07 Before me:

Galen A. Jonathan  
Notary Public

BUILDING 1 UNIT D

IN PRESENCE OF:

[Signature]  
WITNESS

[Signature]  
David Mathieu

STATE OF VERMONT  
COUNTY OF Addison, ss

At Vergennes, this 8 day of November, 2004 DAVID

MATTHIEU personally appeared, and acknowledged this instrument, by him sealed and

subscribed, to be his free act and deed.

Before me: Dianne J. Jackson  
Notary Public

IN PRESENCE OF:

Commission expires: 2/10/07

Dianne J. Jackson  
WITNESS

Leslie R. Maurer  
LESLIE R. MAURER

STATE OF VERMONT  
COUNTY OF Addison, ss

At Vergennes, this 16<sup>th</sup> day of November, 2004 LESLIE R.

MAURER, personally appeared, and acknowledged this instrument, by her sealed and

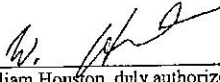
subscribed, to be her free act and deed.

Before me: Dianne J. Jackson  
Notary Public

Commission expires: 2/10/07

The undersigned hereby certifies that this is a true copy of the resolution adopted by the members of COUNTRY COMMONS DEVELOPMENT, LLC in a meeting duly held, and that such resolution conforms to provisions of the Articles and By-Laws of this LLC, and that such resolution is now in full force.

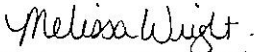
Dated this 12 day of OCTOBER, 2007.

  
William Houston, duly authorized agent, President of  
Houston Enterprises, Inc. sole member of COUNTRY  
COMMONS DEVELOPMENT, LLC

Received for Record October 15, 2007 at 1:33 p.m.

A True Copy

Attest:

  
Assistant City Clerk

**JHSTUART**

CIVIL/ENVIRONMENTAL ENGINEER

September 30, 2007

Agency of Natural Resources  
Department of Environmental Conservation  
Attn: Marsha Thompson, Asst. Regional Engineer  
450 Aas Bloomer Building  
Rutland, Vermont 05701-5903

Re: Houston Enterprises, Inc.  
Vergennes  
WW-9-0521-1, 2

Dear Marsha:

Please be advised that the Phase II water and wastewater improvements to serve 20 condominium units have been completed in reasonable accordance with the approved plans and permit conditions (WW-9-0521-1: Conditions 3, 4, 6, 7 and 10; WW-9-0521-2: Conditions 3, 4). Attached are the manhole and sewer line test results and all buildings are served from existing water mains. Further,

I hereby certify that the installation related information submitted is true and correct and that in the exercise of my reasonable professional judgement, the potable water supply and wastewater system have been installed in accordance with the permitted design and permit conditions, were inspected, were properly tested, and have successfully met those performance tests thereby satisfying §1-403 (A)(3) and (A)(10).

Feel free to contact me at the number or email provided below if you have any further questions or comments.

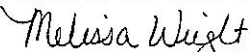
  
John H. Stuart, P.E.

JHS/cvt0

Received for Record October 15, 2007 at 1:33 p.m.

A True Copy

Attest:

  
Assistant City Clerk

EIGHTH AMENDMENT  
TO  
COUNTRY COMMONS DECLARATION OF CONDOMINIUM

WHEREAS, COUNTRY COMMONS DEVELOPMENT, LLC., successor in interests to Houston Enterprises, Inc., successor in interests to L.A.M. & Associates, successor in interests to David Chamberlain, Inc. which DECLARED and established COUNTRY COMMONS CONDOMINIUM by Declaration of Country Commons Condominium dated May 26, 1988, recorded in the Vergennes City Land Records in Book 37 at Page 176-214 wishes to Amend the Country Commons Declaration of Condominium; and

WHEREAS, the construction of twenty-four (24) condominium Units in six (6) buildings, being Buildings 1, 2, 3, 4, 5 and 6 have been previously completed; and

WHEREAS, the lot plan and floor plans showing Buildings 1, 2, 3 and 4 have been filed at the time of the Second Amendment ; and

WHEREAS, a revised lot plan showing the location of Building Five (5) entitled : "Phase I 'As Built' Plan, Country Commons Condominiums" dated October 11, 2002 is recorded at Map Book 3, Page 10 A, B & C as an Amendment to Exhibit B; and

WHEREAS, a further revised lot plan showing the location of Building Six (6) and the property lines of the Condominium dated September 29, 2003 is recorded at Map Book 3, Page 14A as an Amendment to Exhibit B; and

WHEREAS, the floor plans of Building Five (5) are recorded in Map Book 3, Page 10 A, B & C as an Amendment to Exhibit C; and

WHEREAS, the floor plans of Building Six (6) dated October 2, 2003 are recorded at Map Book 3, Page 14B&C as an Amendment to Exhibit C; and

WHEREAS, the Declaration and Exhibits establishing the Project were dated May 26, 1988 and recorded in the Vergennes City Land Records in Book 37 at Page 176-214 (the "Declaration") on May 26, 1988; and

WHEREAS, the First Amendment to the Declaration was dated October 7, 1988 and recorded in the Vergennes City Land Records on October 7, 1988 in Book 37 at Page 467-469; and

WHEREAS, the Second Amendment to the Declaration was dated June 15, 1989 and recorded in the Vergennes City Land Records on June 22, 1989 in Book 38 at Page 328-330; and

WHEREAS, the Third Amendment to the Declaration was dated September 8, 1989 and recorded in the Vergennes City Land Records on September 13, 1989 in Book 38 at Page 471-472; and

WHEREAS, the Fourth Amendment to the Declaration was dated February 22, 1990 and recorded in the Vergennes City Land Records on February 22, 1990 in Book 39 at Page 105-107; and

WHEREAS, the Fifth Amendment to the Declaration was dated October 20, 2002 and recorded in the Vergennes City Land Records on November 19, 2002 in Book 54 at Page 165; and

WHEREAS, the Sixth Amendment to the Declaration is dated October 9, 2003 and recorded in the Vergennes City Land Records on October 14, 2003 in Book 57 at Page 54; and

WHEREAS, the Seventh Amendment to the Declaration is dated Nov 30, 2004 and recorded in the Vergennes City Land Records on \_\_\_\_\_ in Book 61 at Page 34; and

WHEREAS, the construction of a total of twenty-four (24) Units in six (6) buildings of Country Commons Condominium have been completed; and

WHEREAS, the construction of an additional twenty (20) Units in five (5) buildings, with associated twenty (20) parking spaces in five (5) garage structures has commenced; and

WHEREAS, Houston Enterprises, Inc. has conveyed to Country Commons Development Corporation, LLC the parcel of land described in No. 5 of the Seventh Amendment to the Declaration by Quit Claim Deed dated January 5, 2006 and recorded at Book 62, Page 266 of said Land Records; and

WHEREAS, it should be noted that the current Declarant has identified Buildings Seven through Eleven (7-11) as "Phase 2 Units" on the below referenced Plan, the original Declaration identified each Building as being a "phase." Therefore, the attached Exhibit F has continued with this label in the description of each Building.

NOW THEREFORE, Country Commons Development Corporation, LLC hereby amends the Declaration of Country Commons Condominium as follows:

#### AMENDMENT NO. 1

EXHIBIT F, DESCRIPTION OF PHASES, BUILDING AND UNIT BOUNDARIES, COUNTRY COMMONS CONDOMINIUM, is amended by deleting Exhibit F in its entirety, and substituting the attached Exhibit F.

#### AMENDMENT NO. 2

EXHIBIT G, SCHEDULE OF ASSIGNED VALUES AND PERCENTAGE INTERESTS, COUNTRY COMMONS CONDOMINIUM, is amended by deleting Exhibit G in its entirety and substituting therefore the attached Exhibit G.



AMENDMENT NO. 3

EXHIBIT C, FLOOR PLAN, COUNTRY COMMONS CONDOMINIUM, is amended by the addition of the as built floor plan for Building Seven (7) to be recorded at or near even date herewith. Said as built floor plan is entitled "Country Commons Condominium Units, Hopkins Road, Vergennes, Vt., First Floor Plan, As Built" consisting of Drawing A No. 1 a/b dated 2 October '03, Rev. 21 September 07; and "Country Commons Units, Hopkins Road, Vergennes, Vt., Second Floor Plan, As Built" Drawing A No. 2 a/b dated 2 October, '03, Rev. 21 September 07 prepared by Martin Harris, Jr., R.A., Vermont License #335.

AMENDMENT NO. 4

EXHIBIT B, LOT PLAN, COUNTRY COMMONS CONDOMINIUM, is amended by the addition of the lot plan showing the as built location of Building Seven (7), the future locations of Buildings Eight through Eleven (8-11) and the property lines of the Condominium to be recorded at or near even date herewith: "Revised Building Location Plan, Phase 2 Units, Country Commons Condominiums" prepared by G. E. Bedard, Inc., Hinesburg, VT, 2/3/06.

NOTE THAT while the current Declarant has identified Buildings Seven through Eleven (7-11) as "Phase 2 Units" on the aforementioned Plan, the original Declaration identified each Building as being a "phase." Therefore, the attached Exhibit F has continued with this label in the description of each Building.

EXHIBIT F

DESCRIPTION OF PHASES, BUILDINGS AND UNIT BOUNDARIES

COUNTRY COMMONS CONDOMINIUM

Phase I (Note: for identification purposes, the buildings are labeled as phases I-VI in this exhibit; however, the plan identifies the project as a whole as Phase I to identify the parcel subject to this declaration)

Phase I of Country Commons Condominium has been constructed and consists of the following building and units:

Building #4, Unit A  
Building #4, Unit B  
Building #4, Unit C  
Building #4, Unit D

Phase II

Phase II of Country Commons Condominium has been constructed and consists of the following building and units:

Building #3, Unit A  
Building #3, Unit B  
Building #3, Unit C  
Building #3, Unit D

Phase III

Phase III of Country Commons Condominium has been constructed and consists of the following building and units:

Building #1, Unit A  
Building #1, Unit B  
Building #1, Unit C  
Building #1, Unit D

Phase IV

Phase IV of Country Commons Condominium has been constructed and consists of the following building and units:

Building #2, Unit A  
Building #2, Unit B  
Building #2, Unit C  
Building #2, Unit D

Phase V

Phase V of Country Commons Condominium has been constructed and consists of the following building and units:

Building #5, Unit A  
Building #5, Unit B  
Building #5, Unit C  
Building #5, Unit D

Phase VI

Phase VI of Country Commons Condominium has been constructed and consists of the following building and units:

- Building #6, Unit A
- Building #6, Unit B
- Building #6, Unit C
- Building #6, Unit D

Phase VII

Phase VII of Country Commons Condominium has been constructed and consists of the following buildings and units:

- Building #7, Unit A
- Building #7, Unit B
- Building #7, Unit C
- Building #7, Unit D *W&H*

Each building is two stories high and is constructed on a full basement. Each building is, or will be, of wood frame construction and asphalt shingle roof. Each unit is bounded by the undecorated interior surface of its perimeter walls (which includes the perimeter walls of its entry), ceiling, floor, and extends to the interior edge of its deck or patio area or a vertical line rising from the edge of its deck or patio area. The unit number, location, access to immediate common area, dimension, design (including number or rooms) and approximate area of each unit are set forth in the Lot Plan (Exhibit B) and Floor Plan (Exhibit C) and amendment thereto showing Floor Plan for Building 7 to be recorded.

The units in Building Seven (7) have been, and any successive buildings, will be constructed upon the Land as shown on the Lot Plan. In order to convert a portion of the Land from undeveloped Common Area to individual units, an amendment to this Declaration shall be filed in the Vergennes City Land Records according to the provisions contained herein. The Declarant expressly reserves the right, during the course of construction, to revise, modify or change in whole or in part the plans and specifications for construction; provided, however, that the Declarant shall adhere to the general scheme of development as set forth in the plans. Declarant expects, but does not warrant or guarantee that the project as completed will include a total of forty-four (44) units. Declarant reserves to itself the assigned undivided percentage interest attributable to all uncompleted units and units which have been completed but remain unsold by Declarant.

EXHIBIT G

SCHEDULE OF ASSIGNED VALUES AND PERCENTAGE INTERESTS

COUNTRY COMMONS CONDOMINIUM

BUILDING	UNIT	ASSIGNED VALUE	ASSIGNED PERCENTAGE OF UNDIVIDED INTEREST PER UNIT
1	A	\$100,000.00	2.272727%
1	B	\$100,000.00	2.272727%
1	C	\$100,000.00	2.272727%
1	D	\$100,000.00	2.272727%
2	A	\$100,000.00	2.272727%
2	B	\$100,000.00	2.272727%
2	C	\$100,000.00	2.272727%
2	D	\$100,000.00	2.272727%
3	A	\$100,000.00	2.272727%
3	B	\$100,000.00	2.272727%
3	C	\$100,000.00	2.272727%
3	D	\$100,000.00	2.272727%
4	A	\$100,000.00	2.272727%
4	B	\$100,000.00	2.272727%
4	C	\$100,000.00	2.272727%
4	D	\$100,000.00	2.272727%
5	A	\$100,000.00	2.272727%
5	B	\$100,000.00	2.272727%
5	C	\$100,000.00	2.272727%
5	D	\$100,000.00	2.272727%
6	A	\$100,000.00	2.272727%
6	B	\$100,000.00	2.272727%
6	C	\$100,000.00	2.272727%
6	D	\$100,000.00	2.272727%
7	A	\$100,000.00	2.272727%
7	B	\$100,000.00	2.272727%
7	C	\$100,000.00	2.272727%
7	D	\$100,000.00	2.272727%

Phase VI

Phase VI of Country Commons Condominium has been constructed and consists of the following building and units:

- Building #6, Unit A
- Building #6, Unit B
- Building #6, Unit C
- Building #6, Unit D

Phase VII

Phase VII of Country Commons Condominium has been constructed and consists of the following buildings and units:

- Building #7, Unit A
- Building #7, Unit B
- Building #7, Unit C
- Building #7, Unit D

Phase VIII

Phase VIII of Country Commons Condominium has been constructed and consists of the following buildings and units:

- Building #8, Unit A
- Building #8, Unit B
- Building #8, Unit C
- Building #8, Unit D

Each building is two stories high and is constructed on a full basement. Each building is, or will be, of wood frame construction and asphalt shingle roof. Each unit is bounded by the undecorated interior surface of its perimeter walls (which includes the perimeter walls of its entry), ceiling, floor, and extends to the interior edge of its deck or patio area or a vertical line rising from the edge of its deck or patio area. The unit number, location, access to immediate common area, dimension, design (including number or rooms) and approximate area of each unit are set forth in the Lot Plan (Exhibit B) and Floor Plan (Exhibit C) and amendment thereto showing Floor Plan for Building Seven (7) to be recorded.

The units in Building Eight (8) have been, and any successive buildings, will be constructed upon the Land as shown on the Lot Plan. In order to convert a portion of the Land from undeveloped Common Area to individual units, an amendment to this Declaration shall be filed in the Vergennes City Land Records according to the provisions contained herein. The Declarant expressly reserves the right, during the course of construction, to revise, modify or change in whole or in part the plans and specifications for construction; provided, however, that the Declarant shall adhere to the general scheme of development as set forth in the plans. Declarant expects, but does not warrant or guarantee that the project as completed will include a total of forty-four (44) units. Declarant reserves to itself the assigned undivided percentage interest attributable to all uncompleted units and units which have been completed but remain unsold by Declarant.

AMENDMENT NO. 2

EXHIBIT G, SCHEDULE OF ASSIGNED VALUES AND PERCENTAGE INTERESTS, COUNTRY COMMONS CONDOMINIUM, is amended by deleting Exhibit G in its entirety and substituting therefore the attached Exhibit G.

EXHIBIT G

SCHEDULE OF ASSIGNED VALUES AND PERCENTAGE INTERESTS

COUNTRY COMMONS CONDOMINIUM

BUILDING	UNIT	ASSIGNED VALUE	ASSIGNED PERCENTAGE OF UNDIVIDED INTEREST PER UNIT
1	A	\$100,000.00	2.272727%
1	B	\$100,000.00	2.272727%
1	C	\$100,000.00	2.272727%
1	D	\$100,000.00	2.272727%
2	A	\$100,000.00	2.272727%
2	B	\$100,000.00	2.272727%
2	C	\$100,000.00	2.272727%
2	D	\$100,000.00	2.272727%
3	A	\$100,000.00	2.272727%
3	B	\$100,000.00	2.272727%
3	C	\$100,000.00	2.272727%
3	D	\$100,000.00	2.272727%

WHEREAS, Houston Enterprises, Inc. has conveyed to Country Commons Development Corporation, LLC the parcel of land described in No. 5 of the Seventh Amendment to the Declaration by Quit Claim Deed dated January 5, 2006 and recorded at Book 62, Page 266 of said Land Records; and

WHEREAS, it should be noted that the current Declarant has identified Buildings Seven through Eleven (7-11) as "Phase 2 Units" on the below referenced Plan, the original Declaration identified each Building as being a "phase." Therefore, the attached Exhibit F has continued with this label in the description of each Building.

NOW THEREFORE, Country Commons Development Corporation, LLC hereby amends the Declaration of Country Commons Condominium as follows:

AMENDMENT NO. 1

EXHIBIT F, DESCRIPTION OF PHASES, BUILDING AND UNIT BOUNDARIES, COUNTRY COMMONS CONDOMINIUM, is amended by deleting Exhibit F in its entirety, and substituting the attached Exhibit F.

EXHIBIT F

DESCRIPTION OF PHASES, BUILDINGS AND UNIT BOUNDARIES

COUNTRY COMMONS CONDOMINIUM

Phase I (Note: for identification purposes, the buildings are labeled as phases I-VI in this exhibit; however, the plan identifies the project as a whole as Phase I to identify the parcel subject to this declaration)

Phase I of Country Commons Condominium has been constructed and consists of the following building and units:

Building #4, Unit A  
Building #4, Unit B  
Building #4, Unit C  
Building #4, Unit D

Phase II

Phase II of Country Commons Condominium has been constructed and consists of the following building and units:

Building #3, Unit A  
Building #3, Unit B  
Building #3, Unit C  
Building #3, Unit D

Phase III

Phase III of Country Commons Condominium has been constructed and consists of the following building and units:

Building #1, Unit A  
Building #1, Unit B  
Building #1, Unit C  
Building #1, Unit D

Phase IV

Phase IV of Country Commons Condominium has been constructed and consists of the following building and units:

Building #2, Unit A  
Building #2, Unit B  
Building #2, Unit C  
Building #2, Unit D

Phase V

Phase V of Country Commons Condominium has been constructed and consists of the following building and units:

Building #5, Unit A  
Building #5, Unit B  
Building #5, Unit C  
Building #5, Unit D

Phase VI

Phase VI of Country Commons Condominium has been constructed and consists of the following building and units:

- Building #6, Unit A
- Building #6, Unit B
- Building #6, Unit C
- Building #6, Unit D

Phase VII

Phase VII of Country Commons Condominium has been constructed and consists of the following buildings and units:

- Building #7, Unit A
- Building #7, Unit B
- Building #7, Unit C
- Building #7, Unit D

Phase VIII

Phase VIII of Country Commons Condominium has been constructed and consists of the following buildings and units:

- Building #8, Unit A
- Building #8, Unit B
- Building #8, Unit C
- Building #8, Unit D

AMENDMENT NO. 4

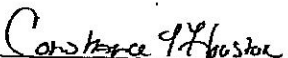
EXHIBIT B, LOT PLAN, COUNTRY COMMONS CONDOMINIUM, is amended by the addition of the lot plan showing the as built location of Building Eight (8) to be recorded at or near even date herewith. Said lot plan is entitled: "Revised Building Location Plan, Phase 2 Units, Country Commons Condominiums, Vergennes, Vermont" dated February 2, 2006 and last revised October 14, 2008 and recorded at Map Slide \_\_\_\_\_ of said Land Records.

NOTE THAT while the current Declarant has identified Buildings Seven through Eleven (7-11) as "Phase 2 Units" on the aforementioned Plan, the original Declaration identified each Building as being a "phase." Therefore, the attached Exhibit F has continued with this label in the description of each Building.

IN PRESENCE OF:

Country Commons Development, LLC

  
WITNESS

BY:   
Constance T. Houston, a duly  
authorized agent of Country  
Commons Development, LLC

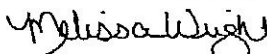
STATE OF VERMONT  
COUNTY OF ADDISON, ss

At Vergennes, this 30th day of October, 2008 Constance T. Houston, a duly authorized agent of Country Commons Development, LLC, personally appeared, and acknowledged this instrument, by her sealed and subscribed, to be her free act and deed and that of Country Commons Development, LLC.

Before me:   
Notary Public  
Commission expires: 2/18/011

Received for Record October 31, 2008 at 11:15 a.m.

A True Copy  
Attest:

  
Assistant City Clerk

TENTH AMENDMENT  
TO  
COUNTRY COMMONS DECLARATION OF CONDOMINIUM

WHEREAS, COUNTRY COMMONS DEVELOPMENT, LLC., successor in interests to Houston Enterprises, Inc., successor in interests to L.A.M. & Associates, successor in interests to David Chamberlain, Inc. which DECLARED and established COUNTRY COMMONS CONDOMINIUM by Declaration of Country Commons Condominium dated May 26, 1988, recorded in the Vergennes City Land Records in Book 37 at Page 176-214 wishes to Amend the Country Commons Declaration of Condominium; and

WHEREAS, the construction of twenty-four (24) condominium Units in six (6) buildings, being Buildings 1, 2, 3, 4, 5 and 6 have been previously completed; and

WHEREAS, the lot plan and floor plans showing Buildings 1, 2, 3 and 4 have been filed at the time of the Second Amendment ; and

WHEREAS, a revised lot plan showing the location of Building Five (5) entitled : "Phase I 'As Built' Plan, Country Commons Condominiums" dated October 11, 2002 is recorded at Map Book 3, Page 10 A, B & C as an Amendment to Exhibit B; and

WHEREAS, a further revised lot plan showing the location of Building Six (6) and the property lines of the Condominium dated September 29, 2003 is recorded at Map Book 3, Page 14A as an Amendment to Exhibit B; and

WHEREAS, a further revised lot plan showing the location of Building Seven (7) and the property lines of the Condominium: entitled "Revised Building Location Plan, Phase 2 Units, Country Commons Condominiums" prepared by G. E. Bedard, Inc., Hinesburg, VT, dated February 3, 2006 is recorded at Map Book 3, Page 42 as an Amendment to Exhibit B; and

WHEREAS, the floor plans of Building Five (5) are recorded in Map Book 3, Page 10 A, B & C as an Amendment to Exhibit C; and

WHEREAS, the floor plans of Building Six (6) dated October 2, 2003 are recorded at Map Book 3, Page 14B&C as an Amendment to Exhibit C; and

WHEREAS, the floor plans of Building Seven (7) are recorded at Map Book 3, Page 43-44 as an Amendment to Exhibit C; and

WHEREAS, the Declaration and Exhibits establishing the Project were dated May 26, 1988 and recorded in the Vergennes City Land Records in Book 37 at Page 176-214 (the "Declaration") on May 26, 1988; and

WHEREAS, the First Amendment to the Declaration was dated October 7, 1988 and recorded in the Vergennes City Land Records on October 7, 1988 in Book 37 at Page 467-469; and

WHEREAS, the Second Amendment to the Declaration was dated June 15, 1989 and recorded in the Vergennes City Land Records on June 22, 1989 in Book 38 at Page 328-330; and

WHEREAS, the Third Amendment to the Declaration was dated September 8, 1989 and recorded in the Vergennes City Land Records on September 13, 1989 in Book 38 at Page 471-472; and

WHEREAS, the Fourth Amendment to the Declaration was dated February 22, 1990 and recorded in the Vergennes City Land Records on February 22, 1990 in Book 39 at Page 105-107; and

WHEREAS, the Fifth Amendment to the Declaration was dated October 20, 2002 and recorded in the Vergennes City Land Records on November 19, 2002 in Book 54 at Page 165; and

WHEREAS, the Sixth Amendment to the Declaration is dated October 9, 2003 and recorded in the Vergennes City Land Records on October 14, 2003 in Book 57 at Page 54; and

WHEREAS, the Seventh Amendment to the Declaration is dated November 30, 2004, and recorded in the Vergennes City Land Records on in Book 61 at Page 34; and

WHEREAS, the Eighth Amendment to the Declaration is dated October 12, 2007 and recorded in the Vergennes City Land Records on in Book 65 at Page 593; and

WHEREAS, the Ninth Amendment to the Declaration is dated November 14, 2007 and recorded in the Vergennes City Land Records in Book 66 at Page 83; and

WHEREAS, the construction of a total of twenty-four (24) Units in six (6) buildings of Country Commons Condominium have been completed; and

WHEREAS, the construction of an additional twenty (20) Units in five (5) buildings, with associated twenty (20) parking spaces in five (5) garage structures has commenced; and

Phase VII

Phase VII of Country Commons Condominium has been constructed and consists of the following buildings and units:

- Building #7, Unit A
- Building #7, Unit B
- Building #7, Unit C
- Building #7, Unit D

Each building is two stories high and is constructed on a full basement. Each building is, or will be, of wood frame construction and asphalt shingle roof. Each unit is bounded by the undecorated interior surface of its perimeter walls (which includes the perimeter walls of its entry), ceiling, floor, and extends to the interior edge of its deck or patio area or a vertical line rising from the edge of its deck or patio area. The unit number, location, access to immediate common area, dimension, design (including number or rooms) and approximate area of each unit are set forth in the Lot Plan (Exhibit B) and Floor Plan (Exhibit C) and amendment thereto showing Floor Plan for Building 7 to be recorded.

The units in Building Seven (7) have been, and any successive buildings, will be constructed upon the Land as shown on the Lot Plan. In order to convert a portion of the Land from undeveloped Common Area to individual units, an amendment to this Declaration shall be filed in the Vergennes City Land Records according to the provisions contained herein. The Declarant expressly reserves the right, during the course of construction, to revise, modify or change in whole or in part the plans and specifications for construction; provided, however, that the Declarant shall adhere to the general scheme of development as set forth in the plans. Declarant expects, but does not warrant or guarantee that the project as completed will include a total of forty-four (44) units. Declarant reserves to itself the assigned undivided percentage interest attributable to all uncompleted units and units which have been completed but remain unsold by Declarant.

IN PRESENCE OF:

Country Commons Development, LLC

C. Dennis Hill  
WITNESS

BY: William G. Houston  
William G. Houston, duly authorized agent,  
President of Houston Enterprises, Inc. sole  
member of COUNTRY COMMONS  
DEVELOPMENT, LLC

STATE OF VERMONT  
COUNTY OF ADDISON, ss

At Vergennes, this 14 day of November, 2007 William G. Houston, duly authorized agent, President of Houston Enterprises, Inc., the sole member of Country Commons Development, LLC, personally appeared, and acknowledged this instrument, by him sealed and subscribed, to be his free act and deed and that of Houston Enterprises, Inc. and Country Commons Development, LLC.

Before me: C. Dennis Hill  
Notary Public

Commission expires: 2/10/11

Received for Record November 19, 2007 at 10:10 a.m.

A True Copy  
Attest:

Melissa Wight  
Assistant City Clerk

APARTMENT UNIT DEED

TO ALL WHOM THESE PRESENTS MAY COME:

WHEREAS COUNTRY COMMONS CONDOMINIUM (the "Project") is a condominium project organized pursuant to the Condominium Ownership Act of Vermont (Vermont Statutes Annotated, as amended, Chapter 15, Title 27, Section 1301 et seq.) (the "Act"); and

WHEREAS, the Declaration and Exhibits establishing the Project were dated May 26, 1980 and recorded in the Vergennes City Land Records in Book 37 at Page 176-214 (the "Declaration") on May 26, 1988; and

WHEREAS, the First Amendment to the Declaration was dated October 7, 1988 and recorded in the Vergennes City Land Records on October 7, 1988 in Book 37 at Page 467-469; and