

TWELFTH AMENDMENT
TO THE
COUNTRY COMMONS DECLARATION OF CONDOMINIUM

WHEREAS, County Commons Development, LLC as successor Declarant and the Unit Owners of Country Commons Condominium are the owners in fee simple of their respective interests in that certain parcel of land declared and established by the Declaration of Country Commons Condominium dated May 26, 1988 of record at Book 37, Page 176 of the City of Vergennes Land Records, as amended (the "Declaration");

WHEREAS, the Seventh Amendment to the Declaration dated November 30, 2004 of record at Book 61, Page 34 of the City of Vergennes Land Records contemplated the addition of units to a total of forty-four (44) Units in the Condominium;

WHEREAS, pursuant to the Eighth Amendment to the Declaration dated October 12, 2007 of record at Book 65, Page 593 of said Land Records, the Ninth Amendment to the Declaration dated November 14, 2007 of record at Book 66, Page 83 of said Land Records, and the Tenth Amendment to the Declaration dated October 30, 2008 of record at Book 67, Page 500 of said Land Records the total number of completed Units was increased to the present thirty-two (32) Units;

WHEREAS, a revised lot plan ("the Revised Lot Plan") showing the locations of the additional twelve (12) Units in three (3) buildings with associated twelve (12) parking spaces in three (3) garage structures 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 53 as an Amendment to Exhibit B; and

WHEREAS, Houston Enterprises, Inc. has conveyed to Country Commons Development, 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, County Commons Development, LLC, wishes to complete and finalize the construction of the final twelve (12) Units in the Country Commons Condominium;

WHEREAS, Amendment No. 2 of the above referenced Seventh Amendment to the Declaration dated November 30, 2004, of record at Book 61, Page 34 of the City of Vergennes Land Records provides that Country Commons Condominium Owners' Association, Inc., through its Board of Directors is authorized to extend the completion date of the final twelve (12) Units; and

WHEREAS, the exteriors and building footprints of such additional Units and garages shall be substantially similar to the present thirty-two (32) Units and garages and shall be located as shown on the Revised Lot Plan, and the Declarant shall provide copies of the plans for such additional Units and garages to the Board of Directors of the Condominium at the time the Declarant begins the permit approval process for such Units and garages with the City of Vergennes;

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NOW THEREFORE, Country Commons Development, LLC, and Country Commons Condominium Owners' Association, Inc., through its Board of Directors hereby make and execute this Twelfth Amendment to the Country Commons Declaration of Condominium for the purposes stated herein and upon the following terms and conditions:

AMENDMENT NO. 1

Notwithstanding the time limitations of Section 3.9 of the Declaration, as amended, Section 3.9 is amended to allow the Declarant to amend, as outlined above in Amendment No. 1 of this Twelfth Amendment to the Declaration, and, therefore, to complete construction of said Units, without further consent of the Unit Owners of the Condominium, through December 31, 2030.

The Declarant expects, but does not guaranty, the construction of the twelve Units.

AMENDMENT NO. 2

Contemplating the construction of twelve (12) additional Units and garages 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 the Country Commons Condominium Owners' Association, Inc. (the "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 completed phases (each new building under the Declaration is an additional phase), provided that the exteriors of each new building and garage shall be substantially similar to the present thirty-two (32) units and garages and shall be located as shown on the Revised Lot Plan.
- (b) Amending Exhibit C showing the as built floor plan of the additional Unit(s) and garages, provided that the building footprints of such additional units and garages shall be substantially similar to the building footprints of the existing thirty-two (32) units and garages.

AMENDMENT NO. 3

Country Commons Development, LLC, 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, as amended, for the purposes of completing the additional Units and associated roads, buildings and improvements.

AMENDMENT NO. 4

Any language in the Declaration, as amended, inconsistent with this Twelfth Amendment should be amended to read to be consistent herewith.

Except as specifically amended and/or restated hereinabove or as required by the Act, the Declaration shall remain in full force and effect.

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Country Commons Development, LLC

By: [Signature]
William Houston, its President and Duly Authorized Agent

STATE OF VERMONT
COUNTY OF ADDISON

At Ferrisburgh, in said County and State, this 31st day of August, 2018, personally appeared William Houston, President and Duly Authorized Agent of the Country Commons Development, LLC, and he acknowledged the within instrument, by him subscribed, to be his free act and deed and the free act and deed of the Country Commons Development, LLC.

Before me, [Signature]
Notary Public
Commission Expires: February 10, 2019

Country Commons Condominium Owners' Association, Inc.

By: [Signature]
its President and Duly Authorized Agent
for 12th amendment pages 1 & 2 initialed & dated
8.30.18

STATE OF VERMONT
COUNTY OF ADDISON

At Vergennes, in said County and State, this 30th day of August, 2018, personally appeared Michael Petrie, President and Duly Authorized Agent of the Country Commons Condominium Owner's Association, Inc., and he acknowledged the within instrument, by him subscribed, to be his free act and deed and the free act and deed of the Country Commons Condominium Owner's Association, Inc.

Before me, [Signature]
Notary Public
Commission Expires: February 10, 2019

VERGENNES, VT, CITY CLERK'S OFFICE
RECEIVED FOR RECORD
August 31 A.D. 20 18
at 2 o'clock 35 minutes P M
and recorded in Book 83 Page 226-228
Attest: [Signature] City Clerk