

March 17, 2022

POTTER POND ASSOCIATION

**AMENDMENT NUMBER FOUR TO DECLARATION OF TRUST**

Reference is hereby made to that certain Declaration of Trust dated December 16, 1980, and recorded with the Middlesex County South District Registry of Deeds (the "Registry") in Book 14168, Page 448, which Declaration of Trust established, pursuant to Massachusetts General Laws, Chapter 183A the Potter Pond Association, the organization of unit owners of the Potter Pond Condominium, a condominium established pursuant to M.G.L. c. 183A by a Master Deed dated December 16, 1980, and recorded with the Registry in Book 14168, Page 426, as amended, and located in Lexington, Middlesex County, Massachusetts.

WHEREAS, said Declaration of Trust has been amended of record prior hereto, including in and by that certain 2001 Amended and Restated Declaration of Trust of Potter Pond Association, recorded with said Registry of Deeds on May 15, 2001, in Book 32857, Page 235 (as so amended, the "Declaration of Trust"); and

WHEREAS, pursuant to Article IX, Section 9.1 of the Declaration of Trust, the Declaration of Trust may be amended, altered, added to, or changed with the consent in writing by Homeowners holding at least sixty-six and two-thirds percent (66 2/3%) of the Beneficial Interest; and

WHEREAS, the consent in writing by Homeowners holding at least sixty-six and two-thirds percent (66 2/3%) of the Beneficial Interest has been obtained to amend Article IV, Section 4.1 (Number of Trustees) in the manner and for the purposes set forth herein; and

WHEREAS, the undersigned constitute a majority of the Trustees of the Potter Pond Association; and

WHEREAS, no other consents are required therefor.

NOW, THEREFORE, the Declaration of Trust is hereby further amended pursuant to Article IX, Section 9.1 thereof, as follows:

1. Article IV, Section 4.1 (Number of Trustees) is amended by deleting from the second sentence thereof, the words “and further provided, in the case of a parent or child of a Homeowner, that such parent or child may serve as a Trustee if he or she resides in the Home.”; and by inserting in place thereof the words:


“and further provided, in the case of a parent, child, spouse or domestic partner (pursuant to a domestic partnership established under Massachusetts law) of a Homeowner, that such parent, child, spouse or domestic partner may serve as a Trustee if residing in the Home.”

[SIGNATURES BEGIN ON PAGE 3]

IN WITNESS WHEREOF, we, the undersigned, being a majority of the Trustees of the Potter Pond Association, hereby certifying that we have first received the consent in writing of Homeowners of Potter Pond Condominium holding at least sixty-six and two-thirds percent (66 2/3%) of the Beneficial Interest, do hereby set our hands and seals this 17<sup>th</sup> day of March, 2022.

POTTER POND ASSOCIATION

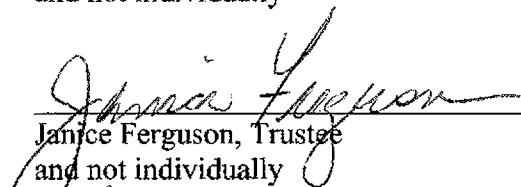
By a majority of its Trustees:



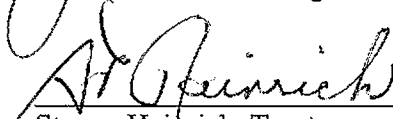
Edward Adelman, Trustee  
and not individually



Cornelia Johnson, Trustee  
and not individually



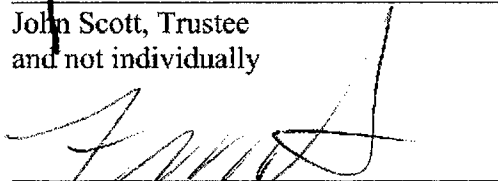
Janice Ferguson, Trustee  
and not individually



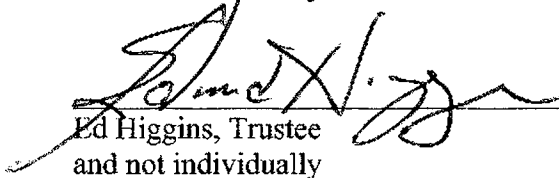
Steven Heinrich, Trustee  
and not individually



John Scott, Trustee  
and not individually



Frank Smith, Trustee  
and not individually



Ed Higgins, Trustee  
and not individually