

APPENDIX A

HILLTOP PLACE CLUSTER THREE

DESCRIPTION OF PREMISES

A certain tract of land located in the Town of New London, County of Merrimack and The State of New Hampshire with the buildings thereon bounded and described as follows:

Beginning at an iron pin in the line of a stone wall on the southwest side of Little Sunapee Road, also known as the Springfield Road, at the easterly corner of land now or formerly of Richardson; thence S 37° 59' E 289.6 feet along the southwest side of said Little Sunapee Road to an iron pin at land now or formerly of Simmons; thence S 48° 29' W 209.6 feet along said Simmons land to an iron pin; thence S 43° 18' E 135.0 feet along said Simmons land to a stone bound; thence northeasterly by said Simmons land about 50 feet to land now or formerly of Barrett; thence southeasterly by said land of Barrett about 128 feet to land now or formerly of Royle; thence southwesterly about 50 feet by said Royle land to a stone bound, said stone bound bearing S 43° 18' E 128.42 feet from the last mentioned stone bound; thence S 40° 36' E 143.86 feet to a concrete bound; thence continuing on the last mentioned course 47.27 feet to a point at land now or formerly of Wellington; thence S 28° 47' W 112.4 feet by said Wellington land to an iron pin; thence S 38° 38' E 102.7 feet to an iron pin; thence S 38° 40' E 101.7 feet to an iron pin in a stone wall at land now or formerly of Bucklin; thence S 27° 26' W along said stone wall and along said Bucklin land 254.0 feet to an iron pin in the line of said stone wall at land now or formerly of Hilltop Place of New London, Inc. and designated "Future Cluster #4"; thence N 51° 45' W along said Hilltop land 50 feet to an iron pin in a stone wall in the southeasterly sideline of the Hilltop Place Community Association private road; thence continuing on the last mentioned course along segments of said stone wall and across said private road 62.0 feet to an iron pin in the line of said stone wall; thence continuing on the last mentioned course along said stone wall 529.7 feet to an iron pin in the line of said wall at the northeasterly corner of land now or formerly of Camp Sunapee; thence continuing on the last mentioned

course along said stone wall and along said Camp Sunapee land 200 feet to an iron pin in a corner of walls; thence N 29° 23' E along a stone wall and along said Camp Sunapee land 160 feet to a corner of walls at land now or formerly of Andrews; thence continuing on the last mentioned course along said stone wall and said Andrews land 51 feet to a point in the line of said wall at land now or formerly of Waring; thence continuing on the last mentioned course along said stone wall and along said Waring land 550 feet to the point of beginning.

Meaning and intending hereby to describe a portion of the premises conveyed to Hilltop Place of New London, Incorporated by warranty deed of James E. Bewley, Jr. and Dorothea G. Bewley dated April 1, 1971, recorded Merrimack County Records, Volume 1092, Page 383, and the premises hereinabove described are also shown and designated as "Future Cluster Three" on a plat recorded in Merrimack County Records as Plans 2600 and 3124-A, 3124-B and 3124-C.

And the following rights, easements, restrictions and conditions are appurtenant and pertain to, affect or are to be exercised on the tract hereinabove described. In the numbered paragraphs immediately following the words "the remainder" refer to that portion of the premises conveyed by deed recorded Volume 1092, Page 383 which is not described hereinabove.

1. The right to use, in common with others, any utility systems, including but not limited to water, wire lines, telephone, television, electric, gas and sewerage, whether originating outside or constructed or located on the remainder, and whether located above or below ground, and any rights of way upon the remainder which may now exist or hereafter be constructed, provided that such rights to use shall be reasonably necessary to the full enjoyment of the Cluster Three property by the Owners thereof.
2. The right to use, in common with others, for all purposes, the streets, roadways, driveways, and passageways on the remainder, leading to or convenient to the Cluster Three property, as the same may be constructed, including but not limited to a right of access to New Hampshire Route 11 by way of a road or driveway on or through the premises formerly of Bewley and designated "Hilltop Place Community Association Private Road" on said plat.

3. The right to the Owners, grantees or mortgagees of the aforescribed property, their heirs, successors and assigns, to go upon the premises where the facilities described in the two preceding paragraphs are located, by themselves or others, in order to construct, repair, maintain and replace the said facilities if Hilltop Place of New London, Incorporated, or its successors or assigns should not construct, repair, maintain or replace the same.
4. The aforescribed property shall be and remain subject to the right of New Hampshire Savings Bank as mortgagee under a certain mortgage deed dated December 28, 1972, recorded Volume 1156, Page 422, to use and enjoy, in common with Hilltop Place of New London, Incorporated, its successors and assigns, the common ways, utilities and facilities as the same are or hereafter shall be located upon said property.

The tract with the buildings thereon hereinabove described and all of the easements, rights, restrictions and conditions also set forth hereinabove are subject to the following:

1. The mortgage lien of New Hampshire Savings Bank conveyed to it by mortgage deed of Hilltop Place of New London, Incorporated, dated December 28, 1972, recorded Merrimack County Records, Volume 1156, Page 422.
2. The provisions of the Community Property Declaration by Hilltop Place of New London, Incorporated, dated May 19, 1971, recorded Merrimack County Records, as the same affects the above-described property.
3. The right and easement of Hilltop Place Community Association and the Declarant to install and maintain utilities of all types needed to service other portions of the property conveyed to Declarant by Bewley by deed dated April 1, 1971, recorded Merrimack County Records, Volume 1092, Page 383, and to enter upon the premises hereinabove described to lay, install and maintain the same, provided that the user of such right and easement shall act reasonably so as not to disturb unduly the occupants of Cluster Three and such user shall promptly repair any damage to the premises caused by such use.

DESCRIPTION OF CLUSTER THREE - APPENDIX B
AS AMENDED AUGUST 20, 2004

-----UNITS----- APPURTENANT LIMITED COMMON AREAS										
BLDG.	UNIT	APPROX.	\$	% UNDIV.	NO.	NO.	PATIO	BALCONY	---STORAGE---	
		AREA							VALUE	INTEREST
		SO. FT.								
A	52	1887	58,500	4.0672	2 ½	3	X			X
A	53	1900	58,500	4.0672	2 ½	3	X			X
B	54	1943	58,500	4.0672	2 ½	3	X		X	X
B	55	1991	58,500	4.0672	2 ½	3	X		X	X
C	56	1900	58,500	4.0672	2 ½	3	X			X
C	57	1887	58,500	4.0672	2 ½	3	X			X
D	58	1815	57,000	3.9630	2	3		X		X
D	59	1767	57,000	3.9630	2	3	X		X	
E	60	2107	62,000	4.3106	2 ½	4	X		X	
E	61	1633	54,000	3.7544	1 ½	3	X			X
F	62	1640	57,000	3.9630	2	3	X		X	X
G	63	1971	58,500	4.0672	2 ½	3	X			X
G	64	1937	58,500	4.0672	2/ ½	3	X			X
H	65	1732	58,500	3.7544	1 ½	3	X			X
H	66	1714	58,500	4.0672	2	3	X		X	X
I	67	1609	56,825	3.9508	1 ½	3	X		X	X
J	68	1562	53,000	3.6849	2	2	X			X
J	69	1640	57,000	3.9630	2	3	X			X
K	70	1738	58,500	4.0672	2 ½	3	X		X	
K	71	1738	58,500	4.0672	2 ½	3		X		X
L	72	1843	58,500	4.0672	2 ½	3	X		X	X
L	73	1852	58,500	4.0672	2 ½	3	X		X	X
M	74	1852	58,500	4.0672	2 ½	3	X		X	X
M	75	1852	58,500	4.0672	2 ½	3	X		X	X
N	76	1562	<u>53,000</u>	<u>3.6849</u>	2	2	X			X
			1,428,325	100.0000						

NOTE: In addition to the bedrooms and baths indicated above, each unit also contains a living/dining room and kitchen.
"Bedrooms" includes such rooms as dens, family or sunrooms, etc.