

APPENDIX A

HILLTOP PLACE CLUSTER FOUR

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 rod set in the end of a stone wall on the northerly side of a private road, said point being the south-westerly corner of the tract herein described and said point being North 63 degrees 35 minutes West, a distance of 50.0' from the northwesterly corner of Cluster II near a junction of private roads; thence North 61 degrees 28 minutes West, 388.9' along said stone wall and land to be designated Cluster V to a stone wall junction; thence North 61 degrees 29 minutes West, 411.8' partly along a stone wall and said land to be designated Cluster V, to an iron pipe in a stone wall at land now or formerly of James Bewley; thence North 31 degrees 20 minutes East, 150.0' along said wall and land of said Bewley, to an iron pipe at land of Camp Sunapee, Inc.; thence South 57 degrees 01 minutes East [S 40° E, magnetic], 200.0' along land of Camp Sunapee, Inc., to a stone bound; thence North 29 degrees 00 minutes East [N 45°45' E, magnetic], 460.5' along land of Camp Sunapee, Inc., to an iron rod in line of said Camp and at the northwesterly corner of Community Property of Hilltop Place Community Association; thence South 44 degrees 49 minutes East, 614.5' along the westerly line of said Community Property to an iron rod on the northerly side of a private road; thence South 27 degrees 11 minutes West, 412.0' along the northerly side of said private road 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 on a plan entitled "Hilltop Place Community Association and Hilltop Place Cluster Four Plot Plan" to be recorded in the Merrimack County Registry of Deeds. Reference is also made to Plans #2600 and 3124, 3124-A and 3124-B recorded in the Merrimack County Registry of Deeds, whereon the premises hereinabove described are located in the general area entitled "Future Cluster Six" on Plan #2600 and in the general area entitled "Future Cluster Four" on Plan #3124, 3124-A and 3124-B.

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 Four 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 Four 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 plans above referred to.
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 at Book 1099, Page 29, 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 Four and such user shall promptly repair any damage to the premises caused by such use.
4. *The right and easement of the Declarant, its B1215P507 recorded successors and assigns, to establish a roadway July 3, 1974 from the road designated 'Hilltop Place Community Association Private Road' on the plans referred to above in this Appendix A, across the above-described premises, to the property now or formerly of Camp Sunapee, in the event Declarant acquires any portion of said Camp Sunapee property, for purposes of ingress to and egress from said Camp Sunapee property, including the right to construct, maintain, and repair said roadway, which roadway shall run between Unit 86 and Unit 92, or alternatively, between Units 83/84 and Unit 85, as located on the Original Plans.*

CLUSTER FOUR ASSOCIATION OF OWNERS
HILLTOP PLACE
NEW LONDON, NEW HAMPSHIRE 03257

AMENDMENT OF DECLARATION AND BY-LAWS

This amendment to the Declaration and By-Laws of Hilltop Place Cluster Four Condominium dated January 8, 1974, and recorded in the Merrimack County Registry of Deeds, Book 1203, Page 134, made this 12th day of January 1989, by the undersigned Owners.

WHEREAS, Paragraph 23 of the Declaration and Article IV, Section 5, of the By-laws by instrument in writing signed and acknowledged by Owners holding seventy-five (75) percent of the total voting power under the Declaration; and

WHEREAS, the undersigned Owners, holders of more than seventy-five (75) percent of the total voting power under the Declaration, desire to make a certain amendment to the Declaration and By-laws in order to reflect current unit values and the resulting revisions in undivided percentages of interest of each unit in the Common Area of said Condominium;

NOW THEREFORE, the undersigned being the Owners of the Units in said Hilltop Place Cluster Four Condominium do hereby amend the Declaration, as heretofore amended by deleting the Appendix B as recorded in the Merrimack County Registry of Deeds on June 27, 1985, Book 1516, Page 926, and substituting in place thereof a revised Appendix B as shown on the attached page.

Executed on the dates as set forth below by the undersigned, being the Owners or Hilltop Place Cluster Four Condominium, in one or more counterparts; all such counterparts together shall constitute one and the same document.

John L. Williamson
Owner

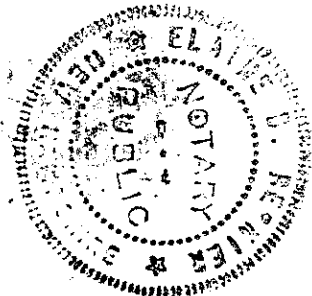
Jean A. Williamson
Co-owner

98 11-29-88
Unit # Date

State of New Hampshire
County of Merrimack

The foregoing instrument was acknowledged before me this 29th day of

NOVEMBER, 1988, by JOHN B. WILLIAMSON AND JEAN A. WILLIAMSON



Elaine D. Bernier
Notary Public/Justice of the Peace
My Commission Expires: January 8, 1992

RECEIVED
1989 JAN 12 PM 1:30
MERRIMACK COUNTY
REGISTRY OF DEEDS

95507

APPENDIX B
HILLTOP PLACE CLUSTER FOUR - DESCRIPTION OF UNITS

UNIT #	APPROX. SQ. FT	6/1/88 VALUE	% Undiv. INTEREST	# OF BDRMS.	# OF BATHS	# EXTRA ROOMS	PATIO, ETC. *(SEE NOTE)	# GARAGES
77	1274	\$ 89,962	3.4748	2	1½	1	PA	1
78	1010	77,278	2.9849	1	1	1	PAS	1
79	1940	120,297	4.6464	2	2½	2	P	1
80	1773	105,217	4.0640	2	2½	1	P	1
81	1272	92,908	3.5885	2	2	1	P	1
82	1540	91,557	3.5364	2	2	1	PAS	1
83	3440	151,909	5.8674	4	3½	2	D	2
84	1190	92,070	3.5562	2	2	1	P	1
85	2336	133,624	5.1612	4	2½	1	P	1
86	1715	99,206	3.8318	2	2	1	P	1
87	1430	91,459	3.5326	2	2	1	PA	1
88	1877	108,976	4.2092	2	2½	1	P	2
89	1848	110,869	4.2823	3	3	1	P	2
90	1705	108,843	4.2040	2	2	1	PAS	1
91	1699	112,881	4.3600	3	2 Full 2 Half	2	CBOP	1
92	1251	84,174	3.2512	2	1	1	P	1
93	1632	95,425	3.6858	2	2	1	P	1
94	1632	93,943	3.6285	2	2	1	B	1
95	1488	92,741	3.5821	2	2	1	P	1
96	1364	85,677	3.3092	2	2	1	B	1
97	1457	87,181	3.3673	2	2	1	P	1
98	1921	108,975	4.2091	2	2½	2	P	1
99	1464	100,702	3.8896	2	2	1	P	1
100	2241	126,881	4.9007	4	3	3	PAS	2
101	2251	126,261	4.8768	2	2½	3	P	2
		<u>\$2,589,016</u>	<u>100.0000</u>					

*NOTE: P - Patio (uncovered)
PA - Patio w/Awning Only
PAS - Patio w/Awning and Screens

B - Balcony
D - Deck
CBOP - Covered Breezeway and Outside Patio

In addition to above, each unit contains a living room, dining room or dining area, kitchen and storage space.

This amendment shall govern all assessments from and after June 1, 1988.

BK1768 P60082