

FIRST AMENDMENT TO DECLARATION**BEACHWOOD BAY ESTATES, A CONDOMINIUM
Route 191, Cutler, Maine**

WHEREAS, **Cutler Residential Development, LLC** a Maine limited liability company (the "**Declarant**"), is the owner in fee simple of certain land located in the Town of Cutler, Washington County, Maine (the "**Land**"), which Land has been submitted by Declarant, together with all improvements, easements, rights and appurtenances thereunto belonging, to the provisions of Chapter 31 of Title 33 of the Maine Revised Statutes Annotated, as amended, known as the Maine Condominium Act ("**Condominium Act**") and thereby creating with respect to the Property a condominium, known as "**Beachwood Bay Estates, A Condominium**" (the "**Condominium**"), all as more particularly set forth in the Declaration of Condominium, Beachwood Bay Estates, A Condominium, dated June 23, 2006, and recorded in the Washington County Registry of Deeds in Book 3159, Page 117, as the same may be further modified or amended (the "**Declaration**"). The Property is also shown on the following plats and plans: (i) A plan identified as "Beachwood Bay Estates Condo, Horizontal & Vertical Boundaries, Old Fund - Duplex (A1)", dated May 30, 2006, and recorded in the Washington County Registry of Deeds in Plan Book 3-15, Page 37"; (ii) A plan identified as "Beachwood Bay Estates Condo, Horizontal & Vertical Boundaries, Quad (A2)", dated May 30, 2006, and recorded in the Washington County Registry of Deeds in Plan Book 3-15, Page 38"; (iii) A plan identified as "Beachwood Bay Estates Condo, Horizontal & Vertical Boundaries, New Fund - Duplex (A3)", dated May 30, 2006, and recorded in the Washington County Registry of Deeds in Plan Book 3-15, Page 39"; (iv) A plan identified as "Beachwood Bay Estates Condo, Horizontal & Vertical Boundaries, Quad (A4)", dated May 30, 2006, and recorded in the Washington County Registry of Deeds in Plan Book 3-15, Page 40"; (v) A plan identified as "Beachwood Bay Estates Condo, Horizontal & Vertical Boundaries, C.O. Residence Building 221 (A5)", dated May 30, 2006, and recorded in the Washington County Registry of Deeds in Plan Book 3-15, Page 41"; (vi) A plan identified as "Beachwood Bay Estates Condo, Horizontal & Vertical Boundaries, Youth Center Building 222 (A6)", dated May 30, 2006, and recorded in the Washington County Registry of Deeds in Plan Book 3-15, Page 42"; (vii) A plan identified as "Beachwood Bay Estates Condo, Horizontal & Vertical Boundaries, Old Fund - Duplex (A7)", dated May 30, 2006, and recorded in the Washington County Registry of Deeds in Plan Book 3-15, Page 43"; (viii) A plat identified as "Condominium Plat of Beachwood Bay Estates", dated June 2, 2006, and recorded in the Washington County Registry of Deeds in Plan Book 3-15, Page 36".

NOW THEREFORE, in accordance with the Development Rights reserved by the Declarant pursuant to the Declaration, and in accordance with Sections 1602-110 and 1602-117 of the Condominium Act, the Declarant hereby amends the Declaration as follows:

1. Section 1.1. Submission to Maine Condominium Act. Section 1.1 of the Declaration is hereby amended in part to create an additional eighteen (18) units, identified as **Units 200-211, 213, 215, 217, 219, and 221-222** thereby creating a total of sixty-two (62) units as of the date hereof, identified on the attached **Exhibit B** and on the Plats and Plans.

2. Exhibit B. Percentage Interests and Allocation of Voting Rights. Exhibit B to the Declaration is hereby amended and replaced with the **Exhibit B** attached hereto, which in accordance with Section 1602-110(a) shall reallocate the percentage interests and voting rights of each Unit in accordance with said amended **Exhibit B**.

3. **Construction.** Except as expressly modified or amended herein, the Declaration shall otherwise remain in full force and effect.

IN WITNESS WHEREOF, Cutler Residential Development, LLC has caused this instrument to be executed under seal this 7 day of the month of September 2006.

SIGNED, SEALED AND DELIVERED
In the presence of:

Cutler Residential Development, LLC

Witness

By: [Signature]
Name: _____
Its: LLC

STATE OF MAINE
CUMBERLAND, ss

September 7, 2006

Then personally appeared the above-named Thomas W. Morris, the authorized Manager of **Cutler Residential Development, LLC**, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said company.

Before me,

[Signature]

Notary Public/Attorney at Law
Name: _____
Commission Expires EVAN ANNE O'NEILL
Notary Public, Maine
My Commission Expires September 16, 2012

EXHIBIT B

**First Amendment to Declaration of Condominium
Beachwood Bay Estates, a Condominium**

Unit Percentage Interests in Common Elements, Common Expenses, and Vote

<u>UNIT</u>	<u>Approximate SQ. FT.</u>	<u>UNIT % INTEREST & VOTE*</u>
101	1209	1.55%
102	1209	1.55%
103	1209	1.55%
104	1209	1.55%
105	1209	1.55%
106	1209	1.55%
107	1209	1.55%
108	1209	1.55%
109	1209	1.55%
110	1209	1.55%
111	1209	1.55%
112	1209	1.55%
114	1209	1.55%
116	1209	1.55%
118	1209	1.55%
120	1209	1.55%
122	1209	1.55%
124	1209	1.55%
200	1177	1.51%
201	1209	1.55%
202	1177	1.51%
203	1209	1.55%
204	1319	1.69%
205	1209	1.55%
206	1319	1.69%
207	1209	1.55%
208	1319	1.69%
209	1209	1.55%
210	1319	1.69%
211	1209	1.55%
213	1209	1.55%
215	1209	1.55%
217	1209	1.55%
219	1209	1.55%
221	1476	1.89%
222	1711	2.19%
301	1042	1.33%
302	1675	2.14%

(continued on the following page)

<u>UNIT</u>	<u>Approximate SQ. FT.</u>	<u>UNIT % INTEREST & VOTE*</u>
303	1042	1.33%
304	1675	2.14%
305	1042	1.33%
306	1675	2.14%
307	1042	1.33%
308	1675	2.14%
309	1042	1.33%
310	1675	2.14%
311	1042	1.33%
312	1675	2.14%
313	1042	1.33%
314	1675	2.14%
315	1042	1.33%
316	1675	2.14%
317	1177	1.51%
318	1177	1.51%
319	1177	1.51%
320	1177	1.51%
321	1177	1.51%
322	1177	1.51%
323	1177	1.51%
324	1177	1.51%
326	1177	1.51%
328	1177	1.51%
TOTAL:	78,175.00	100.00%

***Formula for Unit % Interest and Vote:** Determined as the percentage of square footage of the Unit in relation to the total square footage of all Units as shown on the Plats and Plans.