

THIRD AMENDMENT

TO

DECLARATION and BY-LAWS

OF

LAKEVIEW FARM CONDOMINIUM

Windham, New Hampshire

Declaration - Recorded Rockingham County  
Registry of Deeds, Book 4566, Page 0881

First Amendment -- Recorded Rockingham County  
Registry of Deeds, Book 4671, Page 1645

Second Amendment -- Recorded Rockingham County  
Registry of Deeds, Book 4992, Page 0239

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ROCKINGHAM COUNTY  
REGISTRY OF DEEDS

NOW COME the undersigned, being the Declarant and the Owners of nine of the eleven units sold as of the date of this Third Amendment and the Declarant of the Declaration of Condominium and By-Laws annexed thereto dated August 22, 2005, and recorded in the Rockingham County Registry of Deeds, Book 4566, Page 0881, First Amendment to Declaration and By-Laws dated June 21, 2006, recorded in the Rockingham County Registry of Deeds at Book 4671, Page 1645 and Second Amendment to Declaration and By-Laws dated October 15, 2008, recorded in the Rockingham County Registry of Deeds at Book 4992, Page 0239, with respect to the Condominium identified as Lakeview Farm Condominium and do hereby declare this Third Amendment to the said Declaration and By-Laws. The purpose of this Third Amendment is to remove the so-called "spousal exception" to the age-restricted occupancy.

To effectuate this change, the undersigned hereby agree to modify the Declaration of Condominium and By-Laws as follows:

1. Section 2-7-10(2) in the original Declaration of Condominium recorded at Book 4566, Page 0881 is as follows:

2. The Condominium is being established and shall be maintained in compliance with 42 USC S 3601 etc. and 24 CFR Part 100, Sections 100.304 through 100.308, and with the provisions of the Windham Elderly Housing Zoning Ordinance.

A. To this end, Units shall only be sold to Buyers (and their spouses) who execute an Affidavit that (1) the Unit is to be such Buyers' immediate permanent residence; and (2) such Buyers are not acquiring the Unit for purposes of or with the intent to resell or lease such Unit to persons under the age of fifty-five (55); and (3) both of the resident Buyers is or will be at the time of the closing, in excess of fifty-five (55) years of age or (a) a spouse under the age of fifty-five (55) married to a resident aged fifty-five (55) or older; (b) an adult over the age of twenty-one (21) if their presence is required to provide medical care to a resident aged fifty-five (55) or older or to the resident's spouse; or (c) employees of the elderly housing project (and family members living in the same unit) who are under fifty five (55) years of age, provided the employees perform substantial duties related to the management or maintenance of the project's facilities.

And is hereby amended (by deleting "...or (a) a spouse under the age of fifty-five (55) married to a resident aged fifty-five (55) or older;") to:

2. The Condominium is being established and shall be maintained in compliance with 42 USC S 3601 etc. and 24 CFR Part 100, Sections 100.304 through 100.308, and with the provisions of the Windham Elderly Housing Zoning Ordinance.

A. To this end, Units shall only be sold to Buyers (and their spouses) who execute an Affidavit that (1) the Unit is to be such Buyers' immediate permanent residence; and (2) such Buyers are not acquiring the Unit for purposes of or with the intent to resell or lease such Unit to persons under the age of fifty-five (55); and (3) both of the resident Buyers is or will be at the time of the closing, in excess of fifty-five (55) years of age or (a) an adult over the age of twenty-one (21) if their presence is required to provide medical care to a resident aged fifty-five (55) or older or to the resident's spouse; or (b) employees of the elderly housing project (and family members living in the same unit) who are under fifty five (55) years of age, provided the employees perform substantial duties related to the management or maintenance of the project's facilities.

IN WITNESS WHEREOF, the undersigned have caused this Third Amendment to Declaration to be executed on the 1<sup>st</sup> day of September, 2009.

LAKEVIEW FARM, LLC

By:

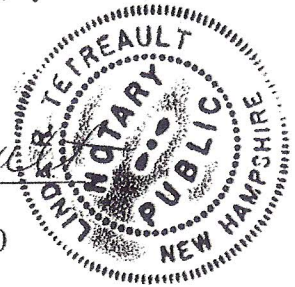
Linda R. Tetreault  
Witness

David W. Tokanel  
DAVID W. TOKANEL, MANAGER

STATE OF NEW HAMPSHIRE  
COUNTY OF ROCKINGHAM, SS.

The foregoing instrument was acknowledged before me this 1<sup>st</sup> day of September, 2009, by DAVID W. TOKANEL in his capacity as Manager of LAKEVIEW FARM, LLC, by and on behalf of said limited liability company,

Linda R. Tetreault  
Linda R. Tetreault, Notary Public  
My Commission Expires: 12-21-10



OWNERS OF UNIT 3:

Barbara Scott  
Witness

Joseph Tamuzza  
JOSEPH TAMUZZA

Barbara Scott  
Witness

Josephine Tamuzza  
JOSEPHINE TAMUZZA

STATE OF NEW HAMPSHIRE  
COUNTY OF ROCKINGHAM, SS.

The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of August, 2009, by JOSEPH TAMUZZA and JOSEPHINE TAMUZZA,



Dawna L. Gauthier  
Name: Dawna L. Gauthier  
Notary Public/Justice of the Peace  
My Commission Expires: 12/21/10