



2017 00021407

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AMENDMENT TO MASTER DEED

Pursuant to an Agreement for Grant of Extension and Revival of Development Rights and Special Declarant Rights dated October 22, 2014 recorded in the Hampshire County Registry of Deeds in Book 11789, Page 27 and pursuant to ARTICLE VII and of the AMENDMENT AND RESTATEMENT OF MASTER DEED of BEAR HILL ESTATES SENIOR CONDOMINIUM and power of authority reserved in unit deeds to all unit owners (hereinafter called "Master Deed") dated January 22, 2008 and recorded in the Hampshire County Registry of Deeds in Book 9378 at Page 11, BRIDGE ROAD, LLC, a Massachusetts Limited Liability Company of P. O. Box 1203, Westfield, Massachusetts, (hereinafter referred to as "SPONSOR") hereby amends the above mentioned MASTER DEED by submitting Phase XIII consisting of two (2) buildings and two (2) units being Units 20 and 32 located in Northampton, Hampshire County, Massachusetts, to the provisions of Chapter 183A of the General Laws of Massachusetts and the provisions of the MASTER DEED of BEAR HILL ESTATES SENIOR CONDOMINIUM and the By-Laws and Rules and Regulations of BEAR HILL ESTATES SENIOR CONDOMINIUM and to correct errors in previously recorded Condominium documents. Units 20 and 32 are located and shown on plans recorded with the Hampshire County Registry of Deeds in Plan Book 240, Page 82 and floor plans attached hereto.

Sponsor hereunder specifically continues to reserve the right to add additional improvements and to change the unit types of the units to be declared to be located on the land described on Exhibit A in the Master Deed.

Description of Land and Buildings:

Phase XIII has two (2) full units and two (2) buildings with one (1) unit each, being Units 20 and 32 as shown on plans filed herewith.

The Unit Buildings in Phase XIII contain a full basement and two stories. All Unit Buildings in Phase XIII are constructed of concrete foundations, wood frame construction, and in accordance with the specifications attached to the Master Deed.

Parking Spaces: Surface Spaces and Garages:

Each unit has a two-car garage contained in said unit. All units have driveways serving such unit and each unit owner shall have the exclusive right to use the driveway serving such unit. The balance of the surface parking is on street parking, and all parking on street must comply with the City of Northampton Parking Ordinances and the Rules and Regulations of Bear Hill Estates Senior Condominium Association. The exclusive right to use driveway parking is an appurtenant right to the unit, which the driveway serves and is not to be conveyed separately from the unit and can only be conveyed with the unit.

Designation of Units and Their Boundaries:

(a) The Units. The Units, and the designations, locations, approximate areas of living space number and composition of rooms, Common Elements immediately accessible thereto, and the Beneficial Interests of each Unit are as set forth in Exhibit B attached hereto and made a part hereof, and as shown on the Plans.

Each Unit Owner may at any time and from time to time change the use and designation of any room or space within such Unit Owner's Unit, subject always to provisions of the Master Deed.

Each Unit shall have appurtenant thereto the perpetual exclusive rights and easements, exercisable subject to and in accordance with the provisions and requirements of the Master Deed and the provisions of the Trust and the Rules and Regulations promulgated pursuant thereto: (a) to use the driveway serving such Unit; (b) to use the entry way walk serving such Unit. Such rights and easements shall not, in any event, be severed from ownership of the Unit to which they are appurtenant.

Each Unit shall also have appurtenant thereto a perpetual right and easement together with other Units to use the common on street parking space subject to and in accordance with the provisions and requirements of the Master Deed and the provisions of the Trust and the Rules and Regulations promulgated pursuant thereto.

Each Unit Owner shall be responsible for cleaning and removing snow from any deck or patio which such Unit Owner owns. Each Unit Owner shall be responsible for keeping in a neat condition the landscaping and grounds within the boundaries of any landscaped patio which such Unit Owner owns, and for keeping the shrubbery and other flora thereon in a neat and healthy condition.

(b) Boundaries of Units. The boundaries of each of the Units are as set forth in Article IV, Section 4.03(a), (b) and (c) of the Amended Restated Master Deed.

Provided, however, that no structural components of the Unit Buildings, and no equipment, pipes, wires, conduits, ducts, flues, shafts, or public utility lines situated within a Unit and forming part of any system serving one or more other Units or the Common Elements, shall be deemed to be a part of said Unit.

Common Elements

The Common Elements consist of the property, described on Exhibit A of the Master Deed, exclusive of the Units, including, without limitation, the following:

(a) The land described in Exhibit A to the Master Deed, subject to rights, easements and restrictions set forth in the Master Deed (Including, without limitation, the Phasing Rights and the Sponsor's Rights set forth in said Master Deed as amended from time to time) and the rights set forth in the Agreement for Grant of Extension and Revival of Development Rights and Special Declarant Rights.

(b) After recording of the Additional Phase Master Deeds, (if the Master Deeds are recorded), the Common Elements shall also include such additional Phase Buildings, Units and improvements subject to rights, easements and restrictions set forth in the Master Deed and subsequent amendments (including, without limitation, the Phasing Right and the Sponsor's rights set forth in said Master Deed), and subject to rights, easements and restrictions of record, if any, existing as of the time of the recording of such Additional Phase Master Deeds, and together with the benefit of rights and easements, if any, set forth in instruments of record existing as of the time of the recording of such Additional Phase Master Deeds.

(c) All equipment, conduits, pipes, chutes, ducts, shafts, plumbing, wiring, flues, and other facilities for the furnishing of utility services or waste removal which are contained in portions of the Unit Building contributing to the structure or support thereof, and all such facilities contained within any Unit which serve parts of the unit Buildings other than the Unit within which such facilities are contained, together with an easement of access thereto for maintenance repair, and replacement;

(d) Installation of utility services in; or under the Land, including all equipment attendant thereto (but not including equipment contained within and servicing a single Unit);

(e) All common equipment wherever located in, on or around the Buildings;

(f) The Surface Parking Spaces;

(g) All other apparatus and installations existing in, on or over the Land for common use, or necessary or convenient to the existence, maintenance or safety of the Buildings; and

(h) All other items listed as such in Chapter 183A and located on the Land.

(i) The yards, lawns, gardens, driveways, walkways, paths, passageways and the improvements thereon and including walks, retaining walls, and fences, and provided that each

Unit Owner shall have an easement for the exclusive use of any driveway or entry walkway providing access to that Unit.

The Common Elements shall be subject to the provisions of the Master Deed and of the Association, and to Rules and Regulations promulgated pursuant to the Association with respect to the use thereof.

The Owners of each Unit shall be entitled to use the Common Areas and Facilities in accordance with their intended use and shall own an undivided interest in the Common Areas and Facilities in the percentage set forth in Exhibit "B" hereto for such Unit. The Common Areas and Facilities shall be used, owned, and regulated in accordance with and subject to the provisions of the Master Deed, Bear Hill Estates Senior Condominium Association, and its By-Laws as now exist or as may from time to time be amended, and subject also to the Rules and Regulations promulgated pursuant thereto. The percentage of undivided interest in the Common Areas and Facilities shall not be separated from the Unit to which it appertains, and shall be deemed to be conveyed or encumbered with the Unit even though such interest is not expressly mentioned or described in the conveyance mortgage or other instrument.

Pipes, Wires, Flues, Ducts, Conduits, Public Utility Lines and other Common Elements Located Inside of Units:

Right of Access: Each Unit Owner shall have an easement in common with the Owners of all other Units to use all pipes, wires, ducts, flues, cables, conduits, public utility lines, and other common elements located in any of the other Units or elsewhere in the condominium and serving his Unit. Each Unit shall be subject to an easement in favor of the Owners of all other Units to use the pipes, wires, ducts, flues, cables, conduits, public utility lines and other common elements located in such Unit and serving other Units. The Directors, manager, the managing agent, or any other person authorized by the Directors, or by the manager or the managing agent, shall have a

right of access to each Unit (and through each Unit to any common elements accessible therefrom), and to the common elements the exclusive use of which are appurtenant to the Unit, at reasonable times and upon reasonable notice except in emergencies, for the purpose of making inspections or for the purpose of correcting any conditions originating in any Unit which threaten another Unit or a common element or for the purpose of performing installations, alterations, repairs or replacements to the mechanical, plumbing, electrical or utility services or other common elements (or appurtenant to) any Unit or elsewhere in the Buildings and including, without limitation, installations, alterations, repairs or replacements, of and to, heat and hot water systems, water pressure reducers and water main shut-offs, for the purpose of installing meters that will measure separately the flow of heating fuel and/or hot water serving each Unit, or for the purpose of performing the work described in the Association. In case of an emergency, such right of entry shall be immediate and shall not require notice.

Encroachments: If any portion of the Common Elements or Buildings and improvements now encroaches upon any Unit, or if any Unit now encroaches upon any other Unit or upon any portion of the Common Elements or upon any portion of the Buildings and improvements, or if any such encroachments shall occur hereafter as a result of the construction, reconstruction, repair, shifting, settlement or movement of any portion of the property or as a result of condemnation or eminent domain proceedings, then a valid easement shall exist for such encroachment and for the maintenance of the same so long as such encroachment exists.

Plans: Simultaneously with the recording hereof there has been recorded a Site Plan and Floor Plans for Units 20 and 32, showing the layout, location, Unit number and dimensions of Units 20 and 32 stating the number and dimension of the Buildings, and bearing the verified statement of a registered architect or engineer certifying that the Plan fully and accurately depict the layout, location, Unit number, dimensions and approximate areas of the Unit as built.

Use of the Buildings and Units; and Restrictions of Use of the Buildings in Units:

The purposes for which the Buildings and the Units and Common Areas are intended to be used in Phase XIII are the same as those set forth in the original MASTER DEED which are incorporated herein by reference thereto.

Other Provisions: All the Units, Buildings, improvements, and land included in Phase XIII are subject to the provisions of the MASTER DEED of BEAR HILL ESTATES SENIOR CONDOMINIUM and to the provisions of the By-Laws, DECLARATION OF TRUST and Rules and Regulations of BEAR HILL ESTATES SENIOR CONDOMINIUM ASSOCIATION which are currently recorded in the Hampshire County Registry of Deeds in Book 9378, at Page 11, as amended, and which are incorporated herein by reference thereto and the provisions of the Grant for Grant of Extension and Revival of Development Rights and Special Declarant Rights recorded as aforesaid in Book 11789, Page 27.

The Sponsor for itself, its contractors, its employees, agents and independent contractors, reserves the right to pass and trespass over the roads and ways in Bear Hill Estates Senior Condominium and reserves the right to install utilities including but not limited to water, sanitary and storm sewers, electricity, gas, telephone and cable television in the land and streets and ways of Bear Hill Estates Senior Condominium for the benefit of adjoining land of Sponsor.

Amendment:

(1) Amend By-Laws Schedule C to correct mistakes in Schedule C to accurately describe the units as they were built as follows:

- (a) Amend Schedule C of Master Deed Amendments to reflect new Exhibit C adding walkout basement for Units 6, 8, 12, 13, 14, 15, 28, 29, 30 and 31
- (b) changing type of unit for Unit 1 from B-RR to ARR

- (c) change type of unit for Unit 18 from B to C type unit;
- (d) and deleting walkout basement for Unit 25.

Also to amend Master Deed recorded in the Hampden County Registry of Deeds as follows:

(2) Amend the Amended and Restated Declaration of Bear Hill Estates Senior Condominium recorded in Book 9378, Page 10 et seq. as follows:

- (a) "Article XVII Section 17.01(2) delete reference in second line to Section 8.1" and substitute "Section 8.02" in its place.
- (b) Article XVII Section 17.01 in second line delete reference to "Section 8.1" and substitute "Section 8.02" in its place.

IN WITNESS WHEREOF, BRIDGE ROAD, LLC has caused this AMENDMENT TO THE MASTER DEED to be duly executed, sealed and delivered thereunto duly authorized as a sealed instrument this 17th day of October, 2017.

BRIDGE ROAD, LLC

By: Saloomey Development, Inc.,
its Managing Member

By: 
Ziter Saloomey, Manager

COMMONWEALTH OF MASSACHUSETTS

Hampshire, ss.

On this 11th day of October, 2017, before me, the undersigned notary public, personally appeared before me Ziter Saloomey, Managing Member of Saloomey Development, Inc., proved to me through satisfactory evidence of identification, which was ☐ photographic identification with signature issued by a federal or state governmental agency, ☐ oath or affirmation of a credible witness, ☒ personal knowledge of the undersigned to be the person whose name is signed on this document and acknowledged to me that he signed it voluntarily for its stated purpose on behalf of the aforesaid limited liability company.



MARK J. BEGLANE
NOTARY PUBLIC
Commonwealth of Massachusetts
My Commission Expires
October 8, 2021

Mark J. Beglane
Notary Public
My commission expires:

The plans for Units 20 and 32 as described in the Amendment to Master Deed and the improvements including sidewalks, roads and landscaped areas and utility installations serving such Units 20 and 32 as described herein are approved by Bear Hill Estates Senior Condominium Association this 11th day of October, 2017 and the undersigned hereby consent to the Amendments correcting errors in the Condominium documents as set forth herein.

BEAR HILL ESTATES SENIOR CONDOMINIUM
ASSOCIATION

By: Ziter Saloomey
Ziter Saloomey

By: Lawrence G. Santilli Michael E. Morier
Lawrence G. Santilli

By: Edward Malmberg
Edward Malmberg

COMMONWEALTH OF MASSACHUSETTS

Hampshire, ss.

On this 11TH day of October, 2017, before me, the undersigned notary public, personally appeared before me, Ziter Salomey, Director of Bear Hill Estates Senior Condominium Association, proved to me through satisfactory evidence of identification, which was ☐ photographic identification with signature issued by a federal or state governmental agency, ☐ oath or affirmation of a credible witness, ☒ personal knowledge of the undersigned to be the person whose name is signed on this document and acknowledged to me that they signed it voluntarily for its stated purpose on behalf of the aforesaid Bear Hill Estates Senior Condominium Association.



MARK J. BEGLANE
NOTARY PUBLIC
Commonwealth of Massachusetts
My Commission Expires
October 8, 2021

Mark J. Beglane

Notary Public
My commission expires:

Hampton
Hartford, ss.

Commonwealth of Massachusetts
~~STATE OF CONNECTICUT~~

On this 11TH day of October, 2017, before me, the undersigned notary public, personally appeared before me, *Lawrence G. Santilli*, Director of Bear Hill Estates Senior Condominium Association, proved to me through satisfactory evidence of identification, which was ☐ photographic identification with signature issued by a federal or state governmental agency, ☐ oath or affirmation of a credible witness, ☒ personal knowledge of the undersigned to be the person whose name is signed on this document and acknowledged to me that he signed it voluntarily for its stated purpose on his behalf and on the behalf of Bear Hill Estates Senior Condominium Association.

Mark J. Beglane

Notary Public
My commission expires:



MARK J. BEGLANE
NOTARY PUBLIC
Commonwealth of Massachusetts
My Commission Expires
October 8, 2021

EXHIBIT "B"**BEAR HILL ESTATES SENIOR CONDOMINIUM**

Unit No.	Phase No.	Unit Type	Percentage Interest Phase XIII	Minimum percentage after last phase
1	VII	A-R-R***	2.96	2.13
2	VII	D-R-R***	2.26	2.13
3		A		2.59
4	X	B	2.73	2.16
5	III	C-R-R	2.08	2.03
6	IX	C***	2.28	2.13
7	VIII	A***	3.31	2.05
8	II	D***	2.19	2.16
9	IV	A	2.63	2.59
10	VII	A-R-R	2.81	2.59
12	V	A***	2.64	2.59
13	III	C-R***	2.08	2.03
14	II	A***	2.63	2.59
15	II	A-R***	2.63	2.59
16	II	B***	2.16	2.13
17	IV	B-R***	2.16	2.13
18	IV	C	2.16	2.13
19	X	Cottage	1.56	1.50
20	XIII		2.66	2.13
21		C		2.05
22		D		2.16
23	V	C	2.08	2.05
24		D		2.16
25	XII	C	2.66	2.05
26	IX	A-R-R-R-R***	3.13	2.16
27	VIII	D***	2.72	2.05
28	V	B***	2.16	2.16
29	III	D-R***	2.19	2.12
30	VI	B***	2.11	2.08
31	VI	A***	2.62	2.16
32	XIII	CR	2.71	2.13
33	X	C	2.66	2.05
34	V	A	2.65	2.59
35	XI	Cottage	1.72	1.68
36	XI	Cottage	1.77	1.73

37	XII	C-R-R-R-R	3.14	2.13
38	VII	A-R-R-R***	2.72	2.59
39	VIII	C***	3.31	2.05
40	VIII	C***	3.31	2.16
41	VI	B***	2.16	2.16
42	IX	B-R-R-R***	2.19	2.15
43	X	C***	2.50	2.45
Unit B	I		3.31	3.30*
Unit D	I		2.25	2.25*

*The above numbers do not reflect a possible reduction if Edwin Warner should add two additional units as reserved to Edwin Warner in the Master Deed.

*The Sponsor reserves the right to change the designation of the types of Units which have not been built or phased into the Condominium which may have an effect on the final percentage interest of Units.

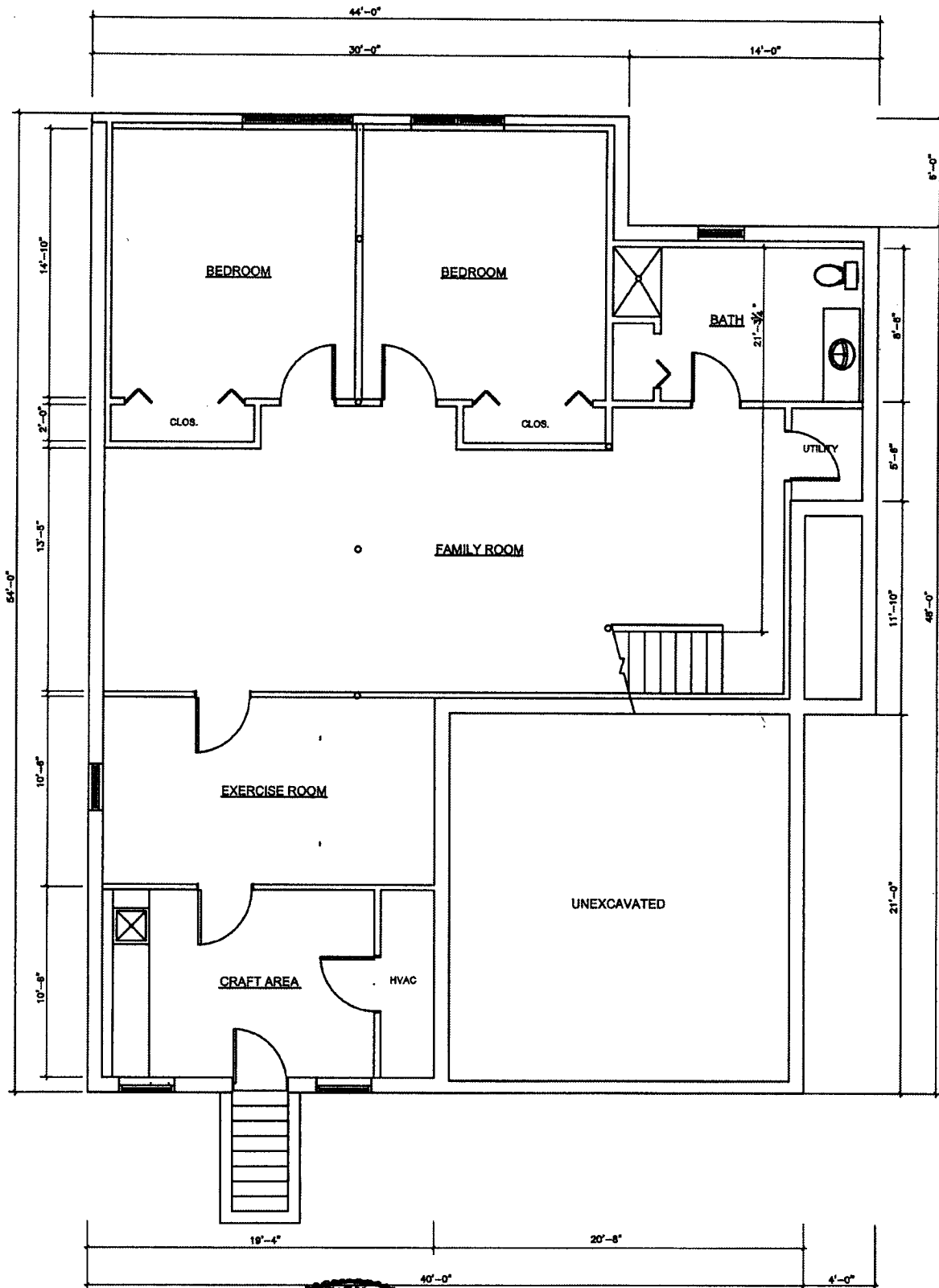
***with walk out basement

EXHIBIT "B"**BEAR HILL ESTATES SENIOR CONDOMINIUM**Description of Unit 32

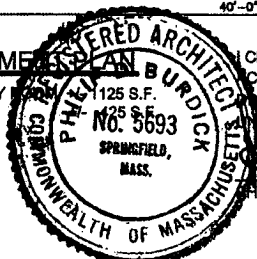
Is a C-R Type unit consisting of a full basement with stairway to first floor and access to common areas through basement, through hatchway. The first floor consists of a 2 car garage, foyer to the left of garage as one faces the unit which foyer contains a closet, kitchen, great room with fireplace, sunroom, stairway to second floor, bedroom with closet, hallway to lavatory, laundry, bedroom and garage with linen closet, lavatory, laundry room, master bedroom with master bathroom, walk in closet, deck to rear of unit and porch and stairs to each, and access to common areas is through garage to driveway, to front entry walk from front porch and from deck to common area in rear of unit. The second floor consists of a loft with closet, full bathroom and storage area. There is no access to common areas from second floor. The unit contains 2,495 square feet of space more or less exclusive of garage, basement porch and deck.

Description of Unit 20

Unit 20 has a full basement with stairway to first floor, family room, two bedrooms each with a closet, full bathroom, utility room, exercise room, craft area and HVAC closet, and access to common area through hatchway from basement. The first floor consists of a 2 car garage located to the left of the foyer, porch, foyer with two closets, stairway to second floor, kitchen, great room with fireplace, sun room, lavatory with washer and dryer, master bedroom with two master bathrooms each with linen closet and walk in closet, access to common areas is from garage to driveway and from front porch to entry walkway and from sunroom to patio. The second floor consists of loft area, bathroom with linen closet, 2 studies with closets. There is no access to common areas from the second floor. The unit contains 2,455 square feet more or less not including the garage, basement and porch.



UNIT "20" BASEMENT CERTIFY THAT THESE FLOOR PLANS FULLY AND ACCURATELY DEPICT THE LAYOUT, UNIT NUMBER AND DIMENSIONS OF BEAR HILL ESTATES SENIOR CONDOMINIUM AS BUILT



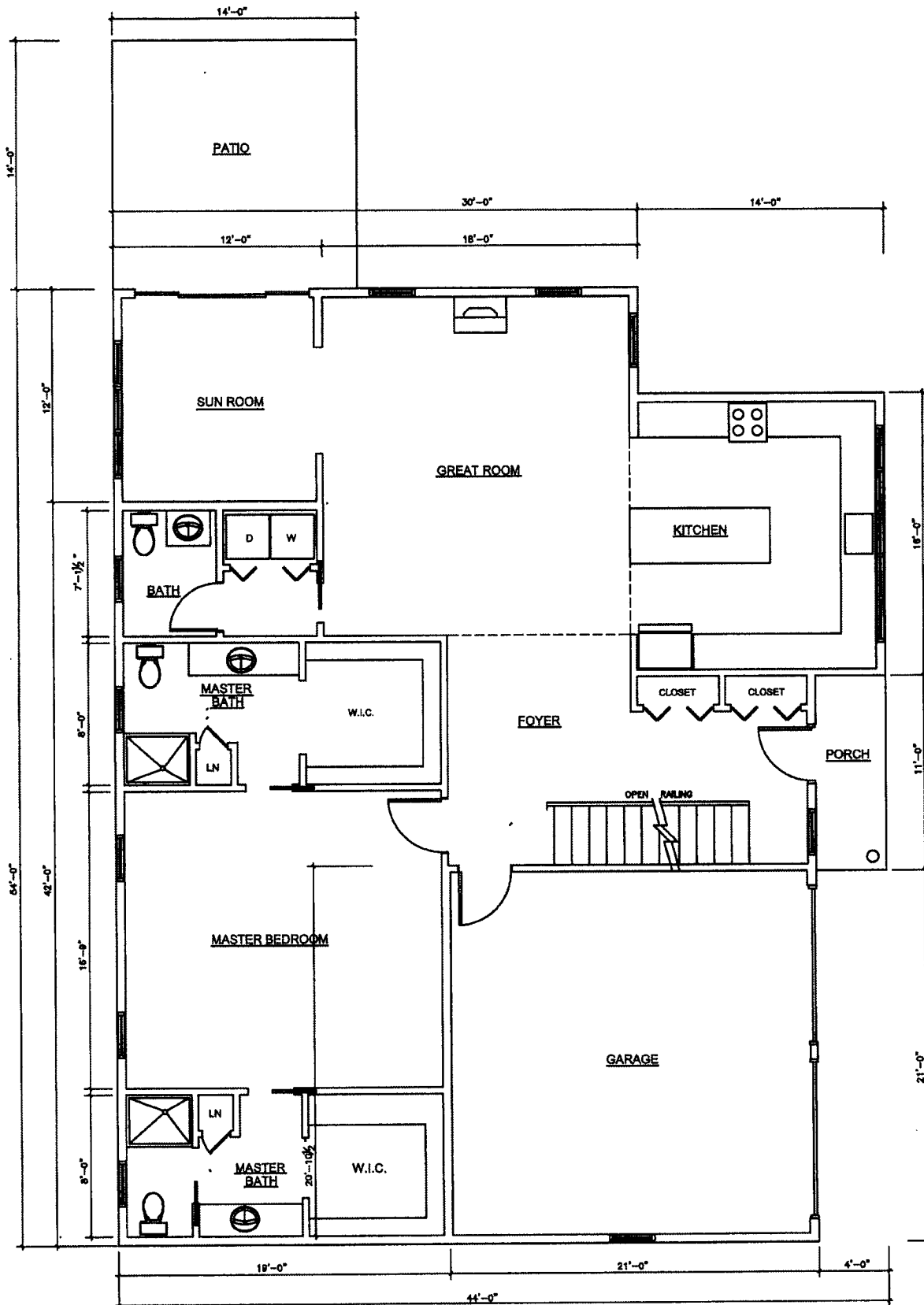
PHILIP D. BURDICK, REGISTERED ARCHITECT DATE 10/10/2017

PHILIP D. BURDICK
ARCHITECTURE-LANDSCAPE ARCHITECTURE-PLANNING
5 Ridgewood Terrace-Springfield, MA 01105-413-222-8535

BEAR HILL ESTATES
SENIOR CONDOMINIUM
BRIDGE ROAD
NORTHAMPTON, MA

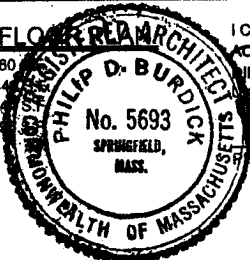
UNIT "20"
FLOOR PLANS

PROJECT NO.
DRAWN BY PDB
SCALE 1/8" = 1'-0"
DATE 10/10/2017
REVISIONS
A0
SHEET



UNIT "20" FIRST FLOOR

FIRST FLOOR +/- 1660
 GARAGE +/- 44
 PORCH +/- 6
 PATIO +/- 16



I CERTIFY THAT THESE FLOOR PLANS FULLY AND ACCURATELY DEPICT THE LAYOUT, UNIT NUMBER AND DIMENSIONS OF BEAR HILL ESTATES SENIOR CONDOMINIUM UNIT 20, AS BUILT

PHILIP D. BURDICK, REGISTERED ARCHITECT

DATE

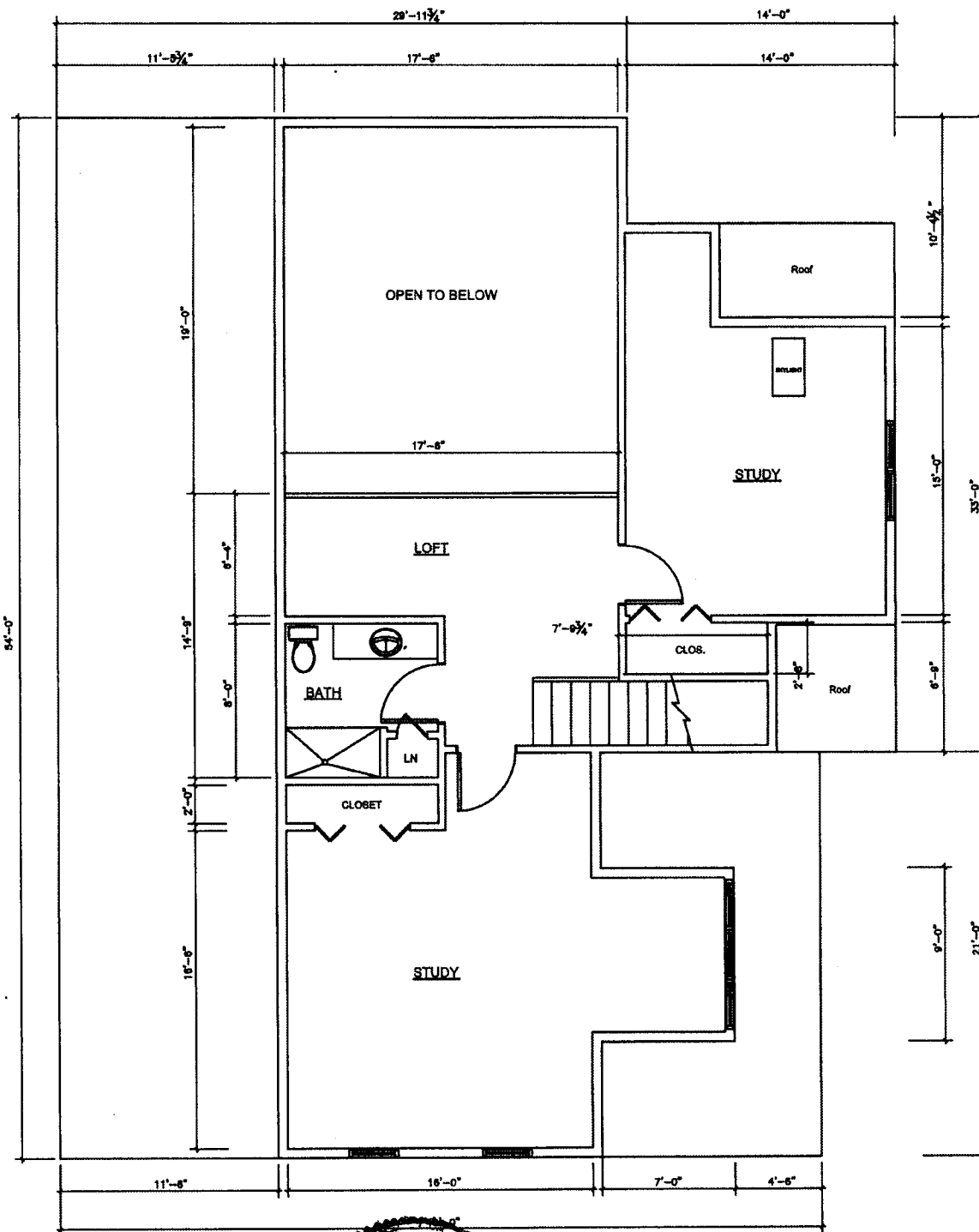
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PROJECT NO.
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 SCALE 1/8" = 1'-0"
 DATE 10/16/2017
 REVISIONS

A1
 SHEET

**BEAR HILL ESTATES
 SENIOR CONDOMINIUM
 BRIDGE ROAD
 NORTHAMPTON, MA**

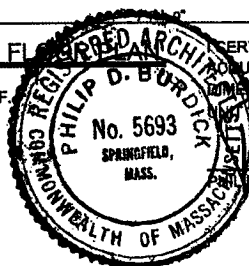
PHILIP D. BURDICK
 ARCHITECTURE-LANDSCAPE ARCHITECTURE-PLANNING
 5 Ridgewood Terrace-Springfield, MA 01105-413-222-9535



UNIT "20" SECOND FLOOR

LOFT FLOOR

+/- 840 S.F.



I CERTIFY THAT THESE FLOOR PLANS FULLY AND ACCURATELY DEPICT THE LAYOUT, UNIT NUMBER AND DIMENSIONS OF BEAR HILL ESTATES SENIOR CONDOMINIUM AS BUILT

PHILIP D. BURDICK, REGISTERED ARCHITECT

DATE

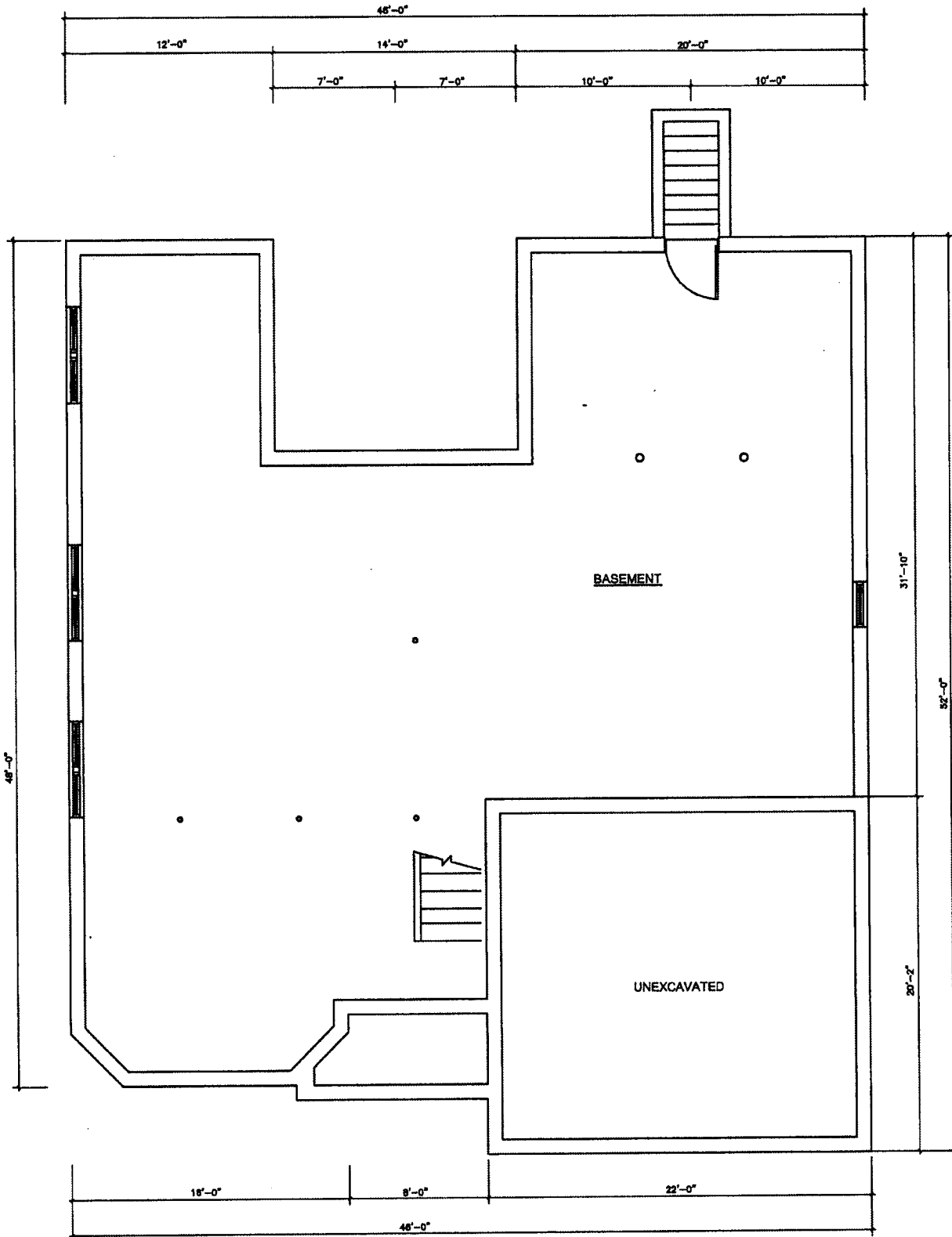
Philip D. Burdick 10-10-2017

PROJECT NO.
DRAWN BY PDB
SCALE 1/8" = 1'-0"
DATE 10/10/2017
REVISIONS

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SHEET

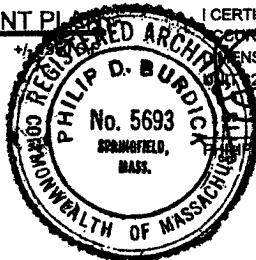
BEAR HILL ESTATES
SENIOR CONDOMINIUM
BRIDGE ROAD
NORTHAMPTON, MA

PHILIP D. BURDICK
ARCHITECTURE-LANDSCAPE ARCHITECTURE-PLANNING
5 Ridgewood Terrace-Springfield, MA 01105-413-222-8635



UNIT "32" BASEMENT PL
BASEMENT

I CERTIFY THAT THESE FLOOR PLANS FULLY AND
ADEQUATELY DEPICT THE LAYOUT, UNIT NUMBER AND
DIMENSIONS OF BEAR HILL ESTATES SENIOR CONDOMINIUM
UNIT 32, AS BUILT.



PHILIP D. BURDICK, REGISTERED ARCHITECT

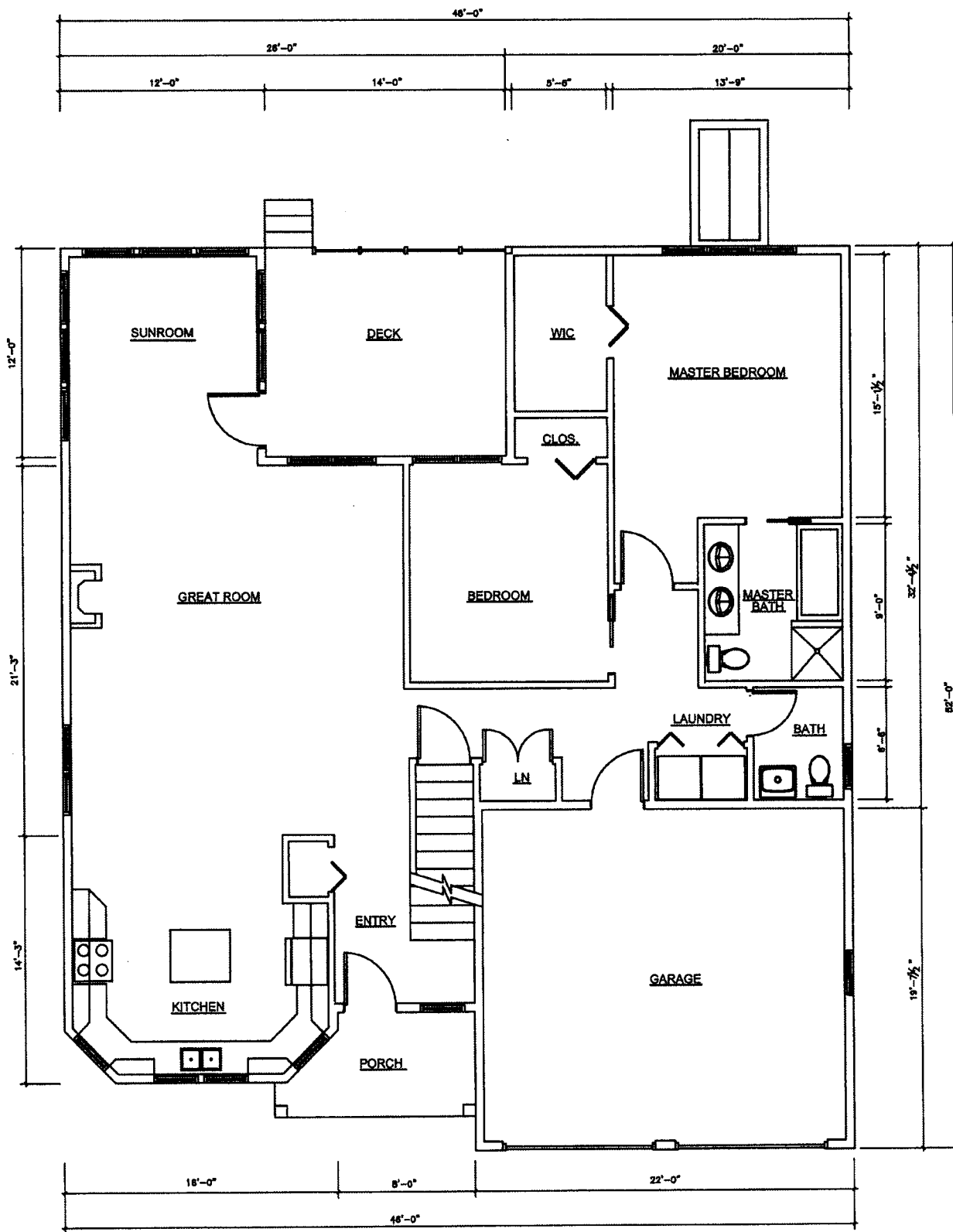
10-10-2017
DATE

PHILIP D. BURDICK
ARCHITECTURE—LANDSCAPE ARCHITECTURE—PLANNING
5 Ridgewood Terrace—Springfield, MA 01105-413-222-9535

BEAR HILL ESTATES
SENIOR CONDOMINIUM
BRIDGE ROAD
NORTHAMPTON, MA

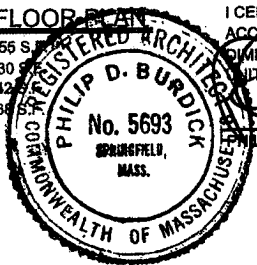
UNIT "32"
FLOOR PLANS

PROJECT NO.
DRAWN BY PDB
SCALE 1/8" = 1'-0"
DATE 10/10/2017
REVISIONS
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SHEET



UNIT "32" FIRST FLOOR PLAN

FIRST FLOOR +/- 1855 S.F.
 GARAGE +/- 430 S.F.
 PORCH +/- 42 S.F.
 DECK +/- 185 S.F.



I CERTIFY THAT THESE FLOOR PLANS FULLY AND ACCURATELY REPICT THE LAYOUT, UNIT NUMBER AND DIMENSIONS OF BEAR HILL ESTATES SENIOR CONDOMINIUM UNIT 32, AS BUILT.

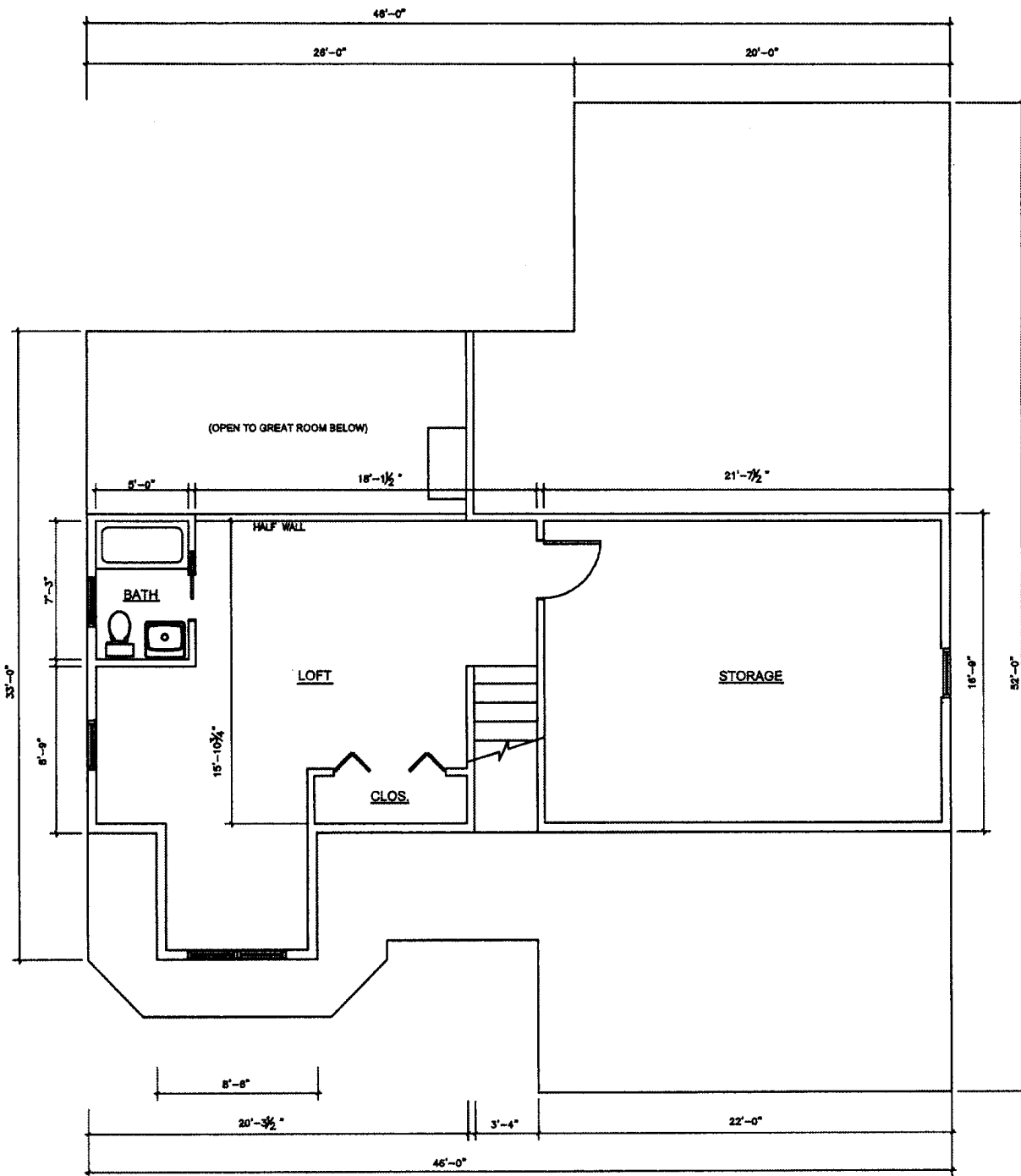
PHILIP D. BURDICK, REGISTERED ARCHITECT DATE 10.10.2017

PROJECT NO.
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 DATE 10/10/2017
 REVISIONS

A1
 SHEET

BEAR HILL ESTATES
 SENIOR CONDOMINIUM
 BRIDGE ROAD
 NORTHAMPTON, MA

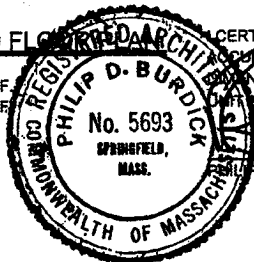
PHILIP D. BURDICK
 ARCHITECTURE-LANDSCAPE ARCHITECTURE-PLANNING
 5 Ridgewood Terrace-Springfield, MA 01105-413-222-9535



UNIT "32" SECOND FLOOR

LOFT FLOOR
STORAGE

+/- 445 S.F.
+/- 350 S.F.



I CERTIFY THAT THESE FLOOR PLANS FULLY AND ACCURATELY DEPICT THE LAYOUT, UNIT NUMBER AND DIMENSIONS OF BEAR HILL ESTATES SENIOR CONDOMINIUM UNIT 32, AS BUILT.

PHILIP D. BURDICK, REGISTERED ARCHITECT

DATE 10.16.2017

PROJECT NO.
DRAWN BY PDB
SCALE 1/8" = 1'-0"
DATE 10/10/2017
REVISIONS

A2
SHEET

BEAR HILL ESTATES
SENIOR CONDOMINIUM
BRIDGE ROAD
NORTHAMPTON, MA

PHILIP D. BURDICK
ARCHITECTURE-LANDSCAPE ARCHITECTURE-PLANNING
5 Ridgewood Terrace-Springfield, MA 01105-413-222-8535

ATTEST: HAMPSHIRE, *Mary Colberding*, REGISTER
MARY COLBERDING