

BAY SQUARE CONDOMINIUM
MAINTENANCE RESOLUTION



2006 00060598

Bk: 47236 Pg: 532 Doc: CERT
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The Bay Square Condominium Board of Trustees (the "Board" or the "Trustees"), under Declaration of Trust dated March 15, 1989 and recorded with the Middlesex South District Registry of Deeds in Book 19708, page 513, as amended, hereby adopts the following Maintenance Resolution, in order to establish and clarify its policies with respect to certain maintenance, repair and replacement responsibilities arising at the Condominium.

In particular, in order to establish and maintain uniform policies relating to the maintenance, repair and replacement of certain Condominium building components, the Board has passed the following Maintenance Resolution:

Sliding Glass Doors

All doors (including sliding glass doors) are considered part of the Unit, pursuant to Section 4 of our Master Deed. Accordingly, the responsibility for their maintenance, repair and/or replacement lies with the individual Unit Owner, rather than the Condominium Trust. Unit Owners are reminded, however, that any replacement of those doors must be architecturally compatible with the rest of the building. Also, replacement of such sliding glass doors could, in all likelihood, affect the adjacent common elements of the building. As a result, Unit Owners proposing to replace sliding glass doors must first notify the Trustees or the Condominium's managing agent, with details as to the type and design of the replacement door, the name and contact information for the contractor, the specifications of the work, and the proposed timing, in order to ensure that the work is done properly and in an unobjectionable manner.

Exterior Balconies, Decks and Patios

These areas adjacent to Units are considered "limited common elements" (i.e., building components which are technically part of the Condominium's common elements, but whose use is generally limited to the occupants of the adjacent Unit). Pursuant to the terms and provisions of Section 6(a)(ii) of Massachusetts General Laws Chapter 183A (the Massachusetts Condominium Act), the Board's policy is to perform all maintenance, repair and/or replacement to these building components, as necessary (with the exception of cleaning and the removal of snow and ice, which remains the responsibility of the Unit Owner and/or occupant pursuant to Section 5.2 of our Declaration of Trust), while assessing the cost thereof solely to the owner of the Unit to which that area is appurtenant. Absent unusual circumstances, the Board or its managing agent will give the Unit Owner in question prior written notice of any such work, and if possible, give the Unit Owner a reasonable opportunity to choose the color of the pavers or other surface, from available samples.

In cases where the building's roof beneath any roof deck or patio needs to be repaired or replaced, such roof repair or replacement will be considered a common expense of the Condominium as a whole, but any costs or expenses relating to the removal and subsequent replacement of the deck or patio (including, without limitation, all pavers, pedestals and other components thereof) shall be separately allocated by the

Board and assessed to the Unit Owner having the right to use such deck or patio. Moreover, in the event that any roof repair or replacement is necessitated by the act(s) and/or negligence of a particular Unit Owner or one for whom that Owner is responsible (i.e., a tenant, contractor, guest, family member, etc.), then the costs and/or expenses relating to such repair or replacement of the roof area in question shall be specially assessed to that Unit Owner, as per the terms and provisions of Section 6(a)(ii) of the Condominium Act. Examples of such damage could include, without limitation, repairs necessitated by punctures or other damage caused by the placement of objects upon the roof.

Witness our hands and seals as of the 27 day of February, 2006.

BAY SQUARE CONDOMINIUM
BOARD OF TRUSTEES

Trustee

Trustee

Trustee

Trustee

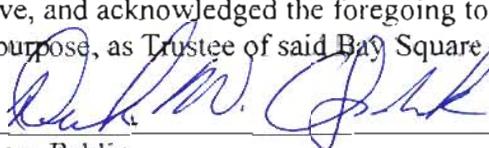
Trustee

COMMONWEALTH OF MASSACHUSETTS


A. St. Middendorf, Notary Public

Middlesex County, ss.

On this 27 day of February, 2006, before me, the undersigned notary public, personally appeared Jackie Landau, John Patrick, Anne McNeil, Ann H. Oppenheimer, proved to me through satisfactory evidence of identification, being (check whichever applies): driver's license or other state or federal governmental document bearing a photographic image, oath or affirmation of a credible witness known to me who knows the above signatory, or my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged the foregoing to be signed by him/her voluntarily for its stated purpose, as Trustee of said Bay Square Condominium.


Notary Public

My Commission Expires: April 4, 2008

Print Notary Public's Name: Derek W. Godfrey

Qualified in the Commonwealth of Massachusetts

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