

27640

FIRST AMENDMENT TO
DECLARATION OF CONDOMINIUM
SEASCAPE AT GRAND BEACH, A CONDOMINIUM

THIS FIRST AMENDMENT is made as of this 31st day of January, 1990, by the GRAND BEACH SEASCAPE CONDOMINIUM OWNERS ASSOCIATION ("GBSCOA"), a Maine nonprofit corporation with a principal place of business in Old Orchard Beach, Maine and a mailing address of 221 East Grand Avenue, Old Orchard Beach, ME 04064, SEASCAPE CORP., a Maine corporation with a place of business and mailing address of 221 East Grand Avenue, Old Orchard Beach, Maine, and SUE ANN COLLINS ("Collins"), of New York, New York, with a mailing address of 136 East 76th Street, New York, NY 10021.

1. Recitals.

A. On or about May 30, 1989, a condominium known as SeaScape at Grand Beach, A Condominium (the "Condominium") was created pursuant to Title 33 of the Maine Revised Statutes Annotated (the "Act") by means of a Declaration of Condominium of SeaScape at Grand Beach, A Condominium, dated May 26, 1989 and recorded in the York County Registry of Deeds in Book 5073, Page 140 (the "Condominium Declaration"). The Plat and Plans for the Condominium are recorded in said Registry of Deeds in File 397.

B. Seascape Corp. is the owner of record of a number of units in the Condominium, including without limitation unit 8B, by virtue of a deed from Paul A. Keating, dated June 10, 1987, and recorded in said Registry of Deeds in Book 4341, Page 170.

C. Collins is the owner of record of unit 4C in the Condominium, by virtue of a deed from Seascape Corp., dated 7/14/89, and recorded in said Registry of Deeds in Book 5125, Page 077.

D. The parties to this amendment have agreed, pursuant to section 1602-108 of the Act, to reallocate among their respective units the parking spaces allocated by section 3.1(A)(2) and Exhibit C of the Condominium Declaration. The Unit Owners have applied to the board of directors of GBSCOA for approval of the reallocation described in this amendment, and GBSCOA has granted its approval, as evidenced by the execution of this amendment by GBSCOA.

E. Capitalized terms not otherwise defined herein shall have the same meaning ascribed to them in the Condominium Declaration. The unit owners who are parties to this amendment are referred to in this amendment as the "Affected Unit Owners."

2. Amendment. The parking spaces for each unit owned by an Affected Unit Owner, as allocated by section 3.1(A)(2) and Exhibit C of the Condominium Declaration, are hereby reallocated among the Affected Unit Owners as described on Exhibit C (Revised as of 1/31/90), a copy of which is attached to this amendment. Information relating to (i) parking spaces allocated to unit owners who are not Affected Unit Owners and (ii) storage cubicles allocated to all unit owners, none of which are to be reallocated by this amendment, is included on Exhibit C (Revised as of 1/31/90) for ease of reference only.

3. Ratification of Condominium Declaration. The Condominium Declaration is hereby ratified and confirmed and except as expressly modified herein shall remain in full force and effect.

IN WITNESS WHEREOF, the GBSCOA has caused this amendment to be executed by its duly authorized president, and the unit owners listed below have executed this amendment as of the date first set forth above.

WITNESS:

GRAND BEACH SEASCAPE
CONDOMINIUM OWNERS
ASSOCIATION

By: [Signature]
Its President

By: [Signature]
Its Secretary

SEASCAPE CORP.

By: [Signature]
Its President

[Signature]
SUE ANN COLLINS

State of N.H.
County of Dorchester, ss.

February 22, 1990

Then personally appeared the above-named John A. Peterman, President of Grand Beach Seascape Condominium Owners Association, a Maine nonprofit corporation, and acknowledged the foregoing instrument to be his/her free act and deed in said capacity and the free act and deed of said corporation.

Before me,

[Signature]
Notary Public/Attorney at Law

CATHERINE J. YOUNGS
Printed Name

State of NH
County of Dorchester, ss.

~~February~~
January 22, 1990

Then personally appeared the above-named John A. Peterman, President of Seascope Corp., a Maine corporation, and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of said corporation.

Before me,

Catherine J. Youngs
Notary Public/Attorney at Law

CATHERINE J. YOUNGS
Printed Name

CATHERINE J. YOUNGS
Notary Public
My Commission Expires Sept. 26, 1991

State of New York
County of New York, ss.

~~February 16~~
January, 1990

Then personally appeared the above-named Sue Ann Collins and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Eric T. Stople
Notary Public/Attorney at Law

Eric T. Stople
Printed Name

Reg. No 4746025
Term expires 1/31/92

EXHIBIT C
(Revised as of 1/31/90)

SEASCAPE AT GRAND BEACH,
A Condominium

Unit	Parking Spaces (as shown on Condominium Plat)	Storage Cubicle (as shown on Condominium Plans)
2 A	39, 40	1
2B	5, 6	2
2C	13, 14	3
2D	71, 81	8
2E	45, 46	4
2F	51, 52	9
3 A	1, 2	10
3B	9, 10	11
3C	41, 42	12
3D	76, 80	38
3E	29, 30	13
3F	27, 28	14
4 A	3, 4	15
4B	33, 34	16
4C	73, 84	17
4D	61, 62	18
4E	11, 12	19
4F	47, 48	20
5 A	21, 22	21
5B	74, 82	7
5C	55, 56	22
5D	25, 26	23
5E	65, 66	24
5F	19, 20	25

<u>Unit</u>	<u>Parking Spaces (as shown on Condominium Plat)</u>	<u>Storage Cubicle (as shown on Condominium Plans)</u>
6 A	23, 24	26
6B	57, 58	27
6C	63, 64	31
6D	43, 44	28
6E	69, 79	37
6F	31, 32	29
7 A	15, 16	30
7B	67, 68	32
7C	35, 36	33
7D	37, 38	34
7E	70, 78	36
7F	53, 54	39
8 A	59, 60	40
8B	17, 18	5
8C	49, 50	41
8D	72, 83	6
8E	75, 77	35
8F	7, 8	42

MORTGAGEE'S CONSENT TO AMENDMENT

The undersigned, Janice Catenacci, holder of a mortgage on Unit 4C of the Condominium, by virtue of a mortgage deed from Sue Ann Collins to the undersigned, in the original principal amount of \$, dated , 1989, and recorded in said Registry of Deeds in Book 5125, Page 77, hereby consent to the foregoing First Amendment to Declaration of Condominium of SeaScape at Grand Beach, A Condominium.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed by its duly authorized officer on this 6th day of April, 1990.

Comfed Savings Bank

By Janice E. Catenacci
Its Vice President
Print Name: JANICE E. CATENACCI

State of Massachusetts
County of Middle., ss.

April 6, 1990

Then personally appeared the above-named Janice E. Catenacci
~~its Vice President~~ as aforesaid, and acknowledged the foregoing instrument to be his/her free act and deed and the free act and deed of said corporation.

Before me,

Gail M. DeMonaco
Notary Public/Attorney at Law

Gail M. DeMonaco

Printed Name

GAIL M. DEMONACO, Notary Public
My Commission Expires March 18, 1994

MORTGAGEE'S CONSENT TO AMENDMENT

The undersigned, AMOSKEAG BANK, holder of a mortgage on Unit 3B of the Condominium, by virtue of a mortgage deed from Seascope Corp. to the undersigned, in the original principal amount of \$7,000,000, dated March 15, 1988, and recorded in said Registry of Deeds in Book 4639, Page 309, hereby consents to the foregoing First Amendment to Declaration of Condominium of SeaScape at Grand Beach, A Condominium.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed by its duly authorized officer on this 11th day of July, 1990.

AMOSKEAG BANK

By: Steven W. Wurtz

Its Assistant Vice President
Print Name: Steven E. Wurtz

State of New Hampshire
County of Hillsborough, ss.

Then personally appeared the above-named Steven Wurtz of Amoskeag Bank, a New Hampshire banking corporation, and acknowledged the foregoing instrument to be his/her free act and deed in said capacity and the free act and deed of said corporation.

Before me.

Kathy B Curtis
Notary Public/Attorney at Law

KATHY B CURTIS
Printed Name

My Commission Expires 12/31/1993



MORTGAGEE'S CONSENT TO AMENDMENT

The undersigned, DEBRA NASH and PRISCILLA NASH CLIEGG, holders of a mortgage on Unit 8B of the Condominium, by virtue of a mortgage deed from Seascope Corp. to the undersigned, in the original principal amount of \$400,000, dated December 30, 1987, and recorded in said Registry of Deeds in Book 4574, Page 342, hereby consent to the foregoing First Amendment to Declaration of Condominium of SeaScape at Grand Beach, A Condominium.

IN WITNESS WHEREOF, the undersigned have executed this instrument on this 7th day of February, 1990.

Debra Nash
Debra Nash

Priscilla Nash Clegg
Priscilla Nash Clegg

State of New Hampshire
County of Hillsborough, ss.

February 7, 1990

Then personally appeared the above-named Debra Nash and Priscilla Nash Clegg, and each acknowledged the foregoing instrument to be her free act and deed.

Before me,

Sandra J. Martinson
Notary Public/Attorney at Law

Sandra J. Martinson
Printed Name

My Commission Expires July 26, 1994

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ATTEST: John M. Ponzetti
REGISTER OF DEEDS