

Middlesex South Registry of Deeds
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Middlesex South Registry of Deeds
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THE VILLAGES AT MARLBOROUGH EAST CONDOMINIUM

AMENDMENT TO THE RULES AND REGULATIONS

Reference is hereby made to those certain By-Laws recorded with the Middlesex County South District Registry of Deeds in Book 45039, Page 223, as amended, which are the By-Laws of The Villages at Marlborough East Condominium Association, Inc.

The Villages at Marlborough East Condominium Association, Inc. is the organization of Unit Owners of The Villages at Marlborough East Condominium, a condominium established, pursuant to Massachusetts General Laws, Chapter 183A, by Master Deed dated August 6, 1998, and recorded with the Middlesex County South District Registry of Deeds in Book 28949, Page 071, as amended.

Pursuant to Article IV, Section 4j of the By-Laws, we the undersigned being a majority of the Board of Governors of The Villages at Marlborough East Condominium, do hereby amend the Rules and Regulations by adopting the Rules and Regulations attached hereto as Exhibit "A".

EXECUTED as a sealed instrument this 13th day of March, 2017.

MAJORITY OF THE BOARD OF GOVERNORS OF
THE VILLAGES AT MARLBOROUGH EAST
CONDOMINIUM ASSOCIATION, INC.

(William Pemberton)

(Patricia Moran)

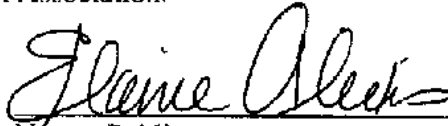
(Robert J. Cucchi)

COMMONWEALTH OF MASSACHUSETTS

Middlesex County, ss.

On this 13 day of March, 2017, before me, the undersigned notary public, personally appeared WILLIAM PEMBERTON, PATRICIA MORAN, ROBERT CUCCHI, and proved to me through satisfactory evidence of identification, being (check whichever applies): driver's license, or other state or federal governmental document being 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 persons whose names are signed above, and acknowledged the foregoing to be signed by them voluntarily for its stated purpose, as Governors of said The Villages at Marlborough East Condominium Association.



Notary Public

My Commission Expires: 11-23-18

Print Notary Public's Name: Elaine Alexis

Qualified in the Commonwealth of Massachusetts

Villages at Marlborough East Rules and Regulations

Rules and Regulations (Revised March 2017)

This handbook has been prepared by the Board of Governors of the Villages at Marlborough East for the benefit of all residents of the Condominium, whether unit owners, renters, or guests. It is not the intent of this handbook to replace or alter any of the rules or restrictions contained in the Association Master Deed and By Laws. The Handbook is intended to summarize that information likely to be of most frequent use, and to convey a sense of welcome to our community.

Building Appearance The Master Deed states that the owner of any unit may not, at any time, make any changes or modifications of the exterior of said unit or any interior changes which affect, or in any way modify, the structural or supportive characteristics or integrity of the building or its services; however, such owner may modify the interior construction of such unit in any manner not inconsistent herewith, and further may at any time and from time to time, change the use and designation of any room or space within such unit. Any and all work with respect to the foregoing shall be done in a good and workmanlike manner pursuant to a building permit duly issued by the local building permit authority, if required, and pursuant to the plans and specifications which have been submitted to and approved in writing by the Board of Governors of the Association.

The Association may modify the exterior of the unit or the Association may grant the owner the right to make such modifications to the exterior of the unit, subject to such rules and regulations and approval process as may be determined by the Association.

- a) Nothing shall be altered or constructed in or removed from the common elements except upon the prior written consent of the Board of Governors, e.g. expansion of patio areas or addition of trellis.
- b) b. Owners who wish to add trees or shrubs in common elements must submit a written proposal to the Board of Governors and receive prior written consent of the Board of Governors before doing any such planting. Any such additions cannot interfere with lawn mowers or create the need for additional weed whacking by the landscapers.
- c) No alteration of the exterior of any building is allowed. Exterior front door colors are not to be changed. Any unit owner replacing his/her doors or windows must use a style, type and color that are the same as the existing ones.

Visual Concerns

- No clothes, sheets, blankets, rugs, laundry or similar articles shall be hung out of a unit or exposed on any part of the common elements. The common elements shall be kept free and clear of rubbish, debris, and other unsightly materials.
- The color of the portion of draperies, blinds, curtains or shutters visible from the exterior shall conform to standards and the current standards are white.
- Roll-down shades on front porches should be white and in the down position only when porch is in use. They require prior written approval from the Board of Governors.

- **Businesses**

No industry, business, trade, occupation or profession of any kind, commercial, religious, educational or otherwise, designed for profit, altruism or otherwise, shall be conducted, maintained or permitted on any part of the property if it creates a disturbance or increased traffic on the property. No "For Sale", "For Rent", or "For Lease" signs or other window displays or advertising shall not be permitted on any part of the property or in any unit therein nor shall any unit be used or rented for transient, hotel or motel purposes. "Open House" signs shall be permitted on the day of such open house only, limited to twice a week.

- **Common Elements**

1. There shall be no obstruction of the common elements nor shall anything be stored in the common elements without the prior written consent of the Board of Governors. Each unit owner shall be obligated to maintain and keep their Unit in good order and repair. Each unit owner shall keep his unit in good state of preservation and cleanliness and shall not sweep or throw or permit to be swept or thrown there from, or from the doors, windows or balconies thereof, any dirt or other substance. Each owner shall be solely responsible for the cost to repair any damage done to lawns, trees, shrubs, roads, or other common areas caused by the action of the unit owner, guests, or tenants. The residents of each unit have the exclusive use of their patio. Other than outdoor furniture, residents are not allowed to store any materials on patios or porches.
2. Nothing shall be done or kept in any unit or in the common elements, which will increase the rate of insurance of the building, or contents thereof, without the prior written consent of the Board of Governors. No unit owner shall permit anything to be done, or kept, in the unit or in the common elements which will result in the cancellation of insurance on any of the common elements or units or contents thereof, or which would be in violation of any law. No waste shall be permitted in the common elements.

3. No petroleum products may be added to or removed from any internal combustion engine within any unit or common elements. No repairing of automobiles shall take place within the condominium, nor shall the parking spaces be used for any purpose other than to park registered motor vehicles and bicycles. Prohibited from overnight parking are trailers, boats, trucks which do not fit into a garage, commercially signed vehicles, and vehicles carrying visible equipment such as ladders.
4. Gas grills – According to fire, insurance and state regulations, barbeque grills may not be under decks or on raised decks. They may only be used 10 feet from the building.
5. Front porches and garden areas are common property.
 - Welcome signs on front porch walls are allowed.
 - Stationary garden ornaments no more than 24” in height, but not to exceed two (2) items per unit, may be placed in the common areas.
 - Natural, unpainted stone and birdbaths are allowed.
 - No political or advertising signs or banners are allowed.
 - Hose boxes and hoses should not be visible from the street.
 - No objects or plantings will be allowed in the mulch around the trees near the streets in front of units.
 - Only birdfeeders may be hung in said trees, no lights or ornaments.
 - Unit owners shall also not cause or permit a window air conditioner to be installed (unless central unit is inoperable and under repair. A window unit can only be **temporary**, and the unit owner must notify the Board if this happens).
 - If an owner adds mulch to planting areas, it must match what the landscapers put down.

- **Fees and fines**

Any late payment received after the fifteenth (15th) day of the month will be subject to a fifteen (\$15) dollar late fee.

Violations of the Rules and Regulations, the Bylaws and terms of the Master Deed will result in assessment of fines to the unit owner by the Management Company under the direction of the Board of Governors. Unit owners will also be responsible for all costs, including, but not limited to, reasonable attorney fees for violations in addition to fines.

First violation – a written warning from the Management Company

Second violation within one (1) year - \$25.00 fine

Third violation within one (1) year - \$50.00 fine

Fourth and subsequent violations within one (1) year - \$100.00 fine

Each day that a violation continues, after notice, shall constitute a separate violation.

- **Holiday Decorations**

Holiday specific decorations, **excluding inflatables**, are permitted to be displayed on the front porch, in windows and on the front of unit owner's garage. These decorations may be put up no more than three weeks before a holiday and must be removed within two weeks of said holiday. Hanging flower displays, window boxes and seasonal wreaths are permitted on front porches. Any exterior holiday lights must be non-blinking.

The US flag may be flown at any time. Decorative flags, not to exceed 15" by 18", may be mounted on ground-mounted flag signs, one per unit.

- **Master Keys**

In order to comply with Master Keys and Fire Department access, any changes in external door locks must be made to conform to the Master Keys. If an owner asks the holder of a Master Key to open a unit, such Master Key holder shall not be liable for injury, loss or damage to the unit involved. All Board members have master keys.

- **Noise**

No person shall make or permit any improper noise or disturbance of any kind in the condominium complex, produce objectionable odors, nor allow anything to be done that will interfere with the rights, comforts or convenience of other persons within the condominium community. Residents and their guests and/or tenants will be expected to reduce noise levels after 9:00 pm until 8:00 am so that neighbors are not disturbed. At no time are musical instruments, radios, stereos or televisions permitted to be so loud as to become a nuisance to others. Please be sensitive to the fact that sound travels easily between units. No gun or weapon of any kind may be used. No unit owner shall conduct, or permit to be conducted, vocal or instrumental practice nor give nor permit to be given vocal or instrumental instruction at any time if the same shall disturb or annoy other residents.

The prolonged or repeated sounding of auto horns is prohibited except to avert an accident on condominium property. The speed limit in the complex is twenty (20) miles per hour. Please inform your guests.

- **Parking**

The owners of each unit shall be entitled to the exclusive use of the driveway leading from the street to such unit's garage for the purpose of parking private passenger vehicles including sport utility, minivans and vans, subject to the obligation to keep the driveway surface in a clean and safe condition. All driveways and parking areas shall be part of the common elements and facilities of the condominium subject to regulation by the Board of Governors, which regulation shall not be inconsistent with the exclusive rights of the unit owners to use their driveways. Residents' vehicles are not allowed to be parked overnight in the guest parking areas, at any time of year.

Common Parking: All other parking, driveways and related facilities shall be a part of the common elements and facilities of the condominium to be shared by all unit owners and their guests; provided, however, all such facilities shall be subject to regulation by the Board of Governors and may include, without limitation, the adoption of reasonable rules and regulations which (a) designate or reserve certain parking spaces for use by guests or visitors; (b) control or limit the number and location of parking spaces which may be used by occupants of any unit; (c) provide for the efficient removal of snow or the making of repairs to the parking areas and other common elements and facilities; (d) ensure that parking spaces are not being utilized by vehicles other than those owned by unit owners, residents or their guests

If you have a guest who is using visitor parking, please have them leave a large sign on the dashboard indicating your name and address in case it is necessary to have the car moved.

- **Pets**

Master Deed Section 9 (g) states that occupants of each unit shall be entitled to keep two (2) pets, either cat(s) or dog(s) per unit and subject to the rules and regulations adopted by the Board of Governors, provided that they are not kept, bred or maintained for any commercial purpose, and provided further that any such pet causing or creating a nuisance or unreasonable disturbance or noise shall be removed permanently from the property upon three (3) day written notice. There shall be a twenty (20) pound weight limit for dogs and all pets shall be indoor pets. Care should be used to prevent dogs from polluting shrubs or other fixed objects. The Board of Governors reserves the right to require that any pet be muzzled. All pets must be leashed when outside. Dogs should not be walked behind other residents' units. The individual walking the dog is responsible for the clean up of dog litter at all times.

- **Residents**

Each unit is restricted to residential use and occupancy by senior citizens or to a senior citizen and his or her spouse. The Master Deed defines a senior citizen as a person age 55 or older. The sale may be to a son or daughter of a senior citizen provided that the senior citizen occupies the unit.

No more than two persons shall occupy each unit as a single family residence except upon written waiver granted by the Board of Governors based on unusual circumstance that are deemed by the Board to be a hardship warranting the issuance of such a waiver.

- **Seasonal Requirements**

- To prevent the freezing of pipes and other types of frost damage to the buildings, each unit owner shall keep his or her unit heated to not less than 60 degrees Fahrenheit at all times during the heating season, whether or not the unit is occupied.
- When residents leave for longer than two weeks they must notify the Board clerk and the management company of their address, what neighbor, if any, has a key, and the local contact person who can be reached in the event of an emergency.

Snow removal process

- Snow removal from the back vents is the responsibility of residents. If the heating vent is blocked, you will lose heat.
- Marlborough East's snowplow contractor is hired to clear all of the roadways, driveways, parking spaces and steps. If your vehicle is parked outside of your garage, it is your responsibility to clean your own vehicle and the area where your car is parked. If you can move your vehicle before the plows come, they will clear your driveway.
- The property uses a product called magic salt to eliminate ice on the roadways and driveways. This product is salt treated with a beer waste product (molasses). It is more effective on ice and does not leave the remnants of sand behind. It can however deteriorate concrete over an extended period of time. We ask that all residents sweep the salt out of your garage and the concrete pad directly in front of your garage door. This will help eliminate bringing salt into your unit and will help preserve the concrete. The salt can be swept back onto the driveway or roadway or disposed of if you wish.

- **Solicitations**

No person, including any unit owners or residents shall be allowed within the condominium community for the purposes of canvassing the residents, for vending, peddling, or soliciting orders for any merchandise, services of any kind or nature whatsoever. Soliciting donations or contributions, distributing any handbills, pamphlets, circulars, book notices or advertising material is not permitted, except with the prior written consent of the Board of Trustees.

- **Trash Removal and Recycling**

Each unit has two barrels. The blue barrel is for garbage and is picked up on a weekly basis. The City of Marlboro requires that all trash in the barrels must be in bags, not loose. The green barrel is for recycling. Marlborough now has single stream recycling so materials do not need to be bagged. Both barrels are the property of the City of Marlborough and should remain in the unit when sold.

Barrels should not be put out until 3 pm the night before and taken in the day of trash pickup.

- **Unit Access**

A representative of the Board of Governors, the Property Manager, and/or any contractor or workman authorized by the Board of Governors and/or the Property Manager, may enter any unit after notification, except in the case of emergency. If the unit owner is not at home, a member of the Board of Governors will be with anyone entering the unit, other than emergency personnel, and notice of such entry will be left for the unit owner. *Note: All Board members have Master Keys.*

If any keys are entrusted by a unit owner or occupant or by any member of his/her family to any employee of the Board of Governors whether for such unit or an automobile, truck or other item of personal property, the acceptance of the key shall be the sole risk of such unit owner or occupant, and neither the Condo Association nor the Board of Governors shall be liable for injury, loss or damage of any nature whatsoever directly or indirectly resulting there from or connected therewith.

- **Visitors/guests** Overnight guests who are not senior citizens shall be allowed for reasonable visitation periods not to exceed two (2) weeks in duration, but children or grandchildren may visit for a period not to exceed two (2) weeks per year, without the written permission of the Board of Governors."

Villages at Marlborough East Rules and Regulations
Addendums to Parking (5/4/17)
(Addendums in Bold Print)

The owners of each unit shall be entitled to the exclusive use of the driveway leading from the street to such unit's garage for the purpose of parking private passenger vehicles including sport utility, minivans and vans, subject to the obligation to keep the driveway surface in a clean and safe condition.

Residents may park in their garage and driveway. Residents may not park for extended time in the street area. All driveways and parking areas shall be part of the common elements and facilities of the condominium subject to regulation by the Board of Governors, which regulation shall not be inconsistent with the exclusive rights of the unit owners to use their driveways. Residents' vehicles are not allowed to be parked overnight in the guest parking areas, at any time of year.

No vehicles, whether they belong to residents or visitors, are allowed to park in the street overnight at any time of the year.

Common Parking: All other parking, driveways and related facilities shall be a part of the common elements and facilities of the condominium to be shared by all unit owners and their guests; provided, however, all such facilities shall be subject to regulation by the Board of Governors and may include, without limitation, the adoption of reasonable rules and regulations which (a) designate or reserve certain parking spaces for use by guests or visitors; (b) control or limit the number and location of parking spaces which may be used by occupants of any unit; (c) provide for the efficient removal of snow or the making of repairs to the parking areas and other common elements and facilities; (d) ensure that parking spaces are not being utilized by vehicles other than those owned by unit owners, residents or their guests.

If you have a guest who is using visitor parking, please have them leave a large sign on the dashboard indicating your name and address in case it is necessary to have the car moved.