BK 16900 PGS 11 - 12
INSTR # 2014040475
RECEIVED YORK SS
10/01/2014 03:46:18 PM
DEBRA ANDERSON
REGISTER OF DEEDS

AMENDMENT TO
GRAND VICTORIAN HOTEL CONDOMINIUM DECLARATION

This Amendment to Grand Victorian Hotel Condominium Declaration made this 7th day of April, 2008, by GRAND VICTORIAN, LLC, a Maine limited liability company and the Declarant of Grand Victorian Hotel Condominium, which condominium was created by Declaration of Condominium, Grand Victorian Hotel Condominium, dated April 27, 2006, recorded in the York Registry of Deeds in Book 14822, Page 608 (the "Declaration").

WITNESSETH

WHEREAS, pursuant to 33 M.R.S.A. §1602-105(a)(8), and Section 4.1 of the Declaration, the Declarant has reserved the development rights to add Units, and to vary the locations of Buildings, Units, and Limited Common Elements associated therewith, in its discretion; and

WHEREAS, additions to the Condominium may be made at one time or from time to time within seven (7) years from the date of recording of the Declaration; and

WHEREAS, certain changes in the Buildings, Units, Common Elements, and Limited Common Elements occurred during the course of construction that are not depicted correctly on the Plat and Plans, as amended; and

WHEREAS, the Declarant is exercising its Development Rights to vary the Plat and Plans to show an "as built" depiction of the Condominium.

NOW, THEREFORE, the Declarant hereby exercises its Development Rights to amend the Declaration as follows:

1. The Plat and Plans of Grand Victorian Hotel Condominium recorded in the York County Registry of Deeds in Condo File 626, Pages 2 through 14, as amended by the Plat and Plans recorded in the York County Registry of Deeds in Condo File 626, Pages 15 through 27, are hereby amended by the Plat and Plans to be filed herewith in the York County Registry of Deeds in Condo File 626, Pages 28 through 40.

2. The size and location of the Units are unaffected by such changes and, therefore, the percentage interests of the Units are unchanged.

IN WITNESS WHEREOF, GRAND VICTORIAN, LLC has caused this Amendment to be signed in the company's name by Timothy J. Swenson, its Manager thereunto duly authorized, this 7th day of April, 2008.

Witness:

GRAND VICTORIAN, LLC

by: _____
Timothy J. Swenson, its Manager

STATE OF MAINE
YORK, ss.

April 7, 2008

Personally appeared the above-named Timothy J. Swenson in his capacity as Manager of Grand Victorian, LLC, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of Grand Victorian, LLC.

_____
~~Notary Public~~/Attorney at Law

David P Ordway
(print name)

Commission expires:_____

Return to:

David Ordway
PO Box 1179 Saco 04072

BK 16995 PGS 617 - 619
INSTR # 2015012133
RECEIVED YORK SS
04/06/2015 02:28:38 PM
DEBRA ANDERSON
REGISTER OF DEEDS

AMENDMENT TO GRAND VICTORIAN HOTEL CONDOMINIUM DECLARATION

This Amendment to Grand Victorian Hotel Condominium Declaration made this 24 day of April, 2015, effective April 8, 2008, by GRAND VICTORIAN, LLC, a Maine limited liability company and the Declarant of Grand Victorian Hotel Condominium, which condominium was created by Declaration of Condominium, Grand Victorian Hotel Condominium, dated April 27, 2006, recorded in the York Registry of Deeds in Book 14822, Page 608 (the "Declaration").

WITNESSETH

WHEREAS, pursuant to 33 M.R.S.A. §1602-105(a)(8), and Section 4.1 of the Declaration, the Declarant has reserved the development rights to add Units, and the Limited Common Elements associated therewith, to the Condominium; and

WHEREAS, additions to the Condominium may be made at one time or from time to time within seven (7) years from the date of recording of the Declaration; and

WHEREAS, on April 8, 2008, the Declarant exercised the Development Rights reserved by it in the Declaration by adding Units 211 and 412 to the Condominium.

WHEREAS, through mistake or other reasons not presently known to the Declarant, the Amendment adding Units 211 and 412 is not recorded in the York Registry of Deeds and the original thereof cannot be located.

NOW, THEREFORE, the Declarant hereby exercises its Development Rights to amend the Declaration as follows:

1. There are hereby created two additional Residential Units identified as Unit 211 and Unit 412 as shown on the Plat and Plans of Grand Victorian Hotel Condominium recorded in the York County Registry of Deeds in Condo File 626, Pages 2 through 14 (the "amended Plat and Plans").

2. In accordance with Article IV of the Declaration, these additional Units are declared as Units within the Condominium, effective as of April 8, 2008.

3. The real estate comprising the Condominium shall include all rights and easements appurtenant thereto and shall be subject to all rights and easements affecting said real estate as set forth or referred to in instruments of record in said Registry.

3p. → ④

Shaheen + Gordon P.A.
P O Box 1179
Saco, Me. 04072-1179

4. The allocated interest of each unit is hereby reallocated in accordance with the formula set forth in Section 1.4 of the Declaration and as set forth in the Amended Exhibit B annexed hereto and made a part hereof.

5. The Limited Common Elements appurtenant to the units hereby created are as shown on the Plat and Plans and as described in Section 3.2 of the Declaration.

IN WITNESS WHEREOF, GRAND VICTORIAN, LLC has caused this Amendment to be signed in the company's name by Timothy J. Swenson, its Manager thereunto duly authorized, this 2nd day of April, 2015.

Witness:

GRAND VICTORIAN, LLC

by: _____
Timothy J. Swenson, its Manager

STATE OF MAINE
YORK, ss.

April 2, 2015

Personally appeared the above-named Timothy J. Swenson in his capacity as Manager of Grand Victorian, LLC, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of Grand Victorian, LLC.

_____
Notary Public/~~Attorney at Law~~

Joan M. Hunnewell
A Notary Public of Maine
My (Print name) ... res May 4, 2015

Commission expires: _____ SEAL

Return to:

AMENDED EXHIBIT B

		Square Feet	Vote**	Common Element Percentage Interest	Commercial / Plaza Expense Percentage	Residential / Hotel Expense Percentage
Commercial Unit	101	1,488	3	1.8054%	10.4070%	
	102	11,945	21	14.4932%	83.5432%	
Plaza Unit (Adjusted)*	103	865	2	1.0495%	6.0498%	
Residential Unit	200	1,363	1	1.6538%		2.0009%
	201	1,243	1	1.5082%		1.8247%
	202	1,379	1	1.6732%		2.0244%
	203	1,260	1	1.5288%		1.8497%
	204	1,648	1	1.9996%		2.4193%
	205	1,386	1	1.6817%		2.0346%
	206	1,357	1	1.6465%		1.9921%
	207	1,020	1	1.2376%		1.4974%
	208	1,248	1	1.5142%		1.8321%
	209	1,196	1	1.4511%		1.7557%
	210	1,427	1	1.7314%		2.0948%
	211	1,489	1	1.8066%		2.1858%
	212	1,185	1	1.4378%		1.7396%
	300	2,033	1	2.4667%		2.9844%
	301	1,243	1	1.5082%		1.8247%
	302	1,379	1	1.6732%		2.0244%
	303	1,260	1	1.5288%		1.8497%
	304	1,648	1	1.9996%		2.4193%
	305	1,465	1	1.7775%		2.1506%
	306	1,357	1	1.6465%		1.9921%
	307	937	1	1.1369%		1.3755%
	308	1,248	1	1.5142%		1.8321%
	309	1,196	1	1.4511%		1.7557%
	310	1,427	1	1.7314%		2.0948%
	311	1,489	1	1.8066%		2.1858%
	312	1,185	1	1.4378%		1.7396%
	400	2,033	1	2.4667%		2.9844%
	401	1,243	1	1.5082%		1.8247%
	402	1,379	1	1.6732%		2.0244%
	403	1,260	1	1.5288%		1.8497%
	404	1,648	1	1.9996%		2.4193%
	405	1,386	1	1.6817%		2.0346%
	406	1,357	1	1.6465%		1.9921%
	407	1,020	1	1.2376%		1.4974%
	408	1,248	1	1.5142%		1.8321%
	409	1,196	1	1.4511%		1.7557%
	410	1,427	1	1.7314%		2.0948%
	411	1,489	1	1.8066%		2.1858%
	412	1,185	1	1.4378%		1.7396%
	501	1,072	1	1.3007%		1.5737%
	502	1,331	1	1.6149%		1.9539%
	503	1,200	1	1.4560%		1.7616%
	504	1,630	1	1.9777%		2.3928%
	505	1,367	1	1.6586%		2.0068%
	506	1,339	1	1.6246%		1.9656%
	507	962	1	1.1672%		1.4122%
	508	1,204	1	1.4608%		1.7675%
	509	1,142	1	1.3856%		1.6765%
	510	1,370	1	1.6623%		2.0112%
	511	1,460	1	1.7715%		2.1433%
	512	1,104	1	1.3395%		1.6207%
Totals		82,418		100.00%	100.00%	100.00%

*Note: Pursuant to Section 1.4 of the Declaration, the Allocated Interest of the Plaza Unit has been reduced by 90% of the actual floor area of the Unit.

**Note: Pursuant to Section 1.4 of the Declaration, the Commercial and Plaza Class Units have been allocated votes equal to one-half the total number of Residential/Hotel class votes outstanding from time to time, rounded up to the nearest whole vote. The votes of the Commercial and Plaza Class Units are in proportion to their respective Commercial/Plaza Expense percentage.

Doc# 2006061096
Bk 14999 Pg 0092 - 0111
Received York SS
11/02/2006 10:19AM
Debra L. Anderson
Register of Deeds

SECOND AMENDMENT TO
GRAND VICTORIAN HOTEL CONDOMINIUM DECLARATION
OLD ORCHARD BEACH, MAINE

Pursuant to Section 10.3(c) of the Declaration of Condominium, Grand Victorian Hotel Condominium, dated April 27, 2006, recorded in the York Registry of Deeds in Book 14822, Page 608 (the "Declaration"), as amended, this Second Amendment to Declaration is made and entered into as of the 26th day of October, 2006, by **Grand Victorian, LLC**, a Maine limited liability company and the Declarant of Grand Victorian Hotel Condominium, and **Old Orchard Beach Associates, Limited Liability Company**, being all of the record Owners of Units to which are allocated 100% of the Votes in the Association.

WHEREAS:

1. Article IV, Special Declarant Rights and Easements, Section 4.6(b) Easements, which currently reads as follows:

> b. Ingress, Egress and Regress. Each Unit Owner shall have an easement, subject to any rules and regulations established by the Executive Board, in common with all other Unit Owners to use the Common Elements as a means of ingress, egress and regress to and from the Property and the adjoining public streets, provided that the Limited Common Elements assigned to a Class of Units shall only be subject to an easement in favor of members of that Class unless otherwise specifically provided herein. The Executive Board shall not and cannot establish any rules and regulations depriving any Unit Owner of reasonable ingress, egress and regress to and from his Unit, the Property and Common Elements, and the adjoining public streets.

is amended and replaced as follows:

> b. Ingress, Egress and Regress. Each Unit Owner shall have an easement, subject to any rules and regulations established by the Executive Board, in common with all other Unit Owners to use the Common Elements as a means of ingress, egress and regress to and from the Property and the adjoining public streets, provided that except for the easement benefiting the Plaza Class Unit set forth in Subsection 4.6(e), below, Limited Common Elements assigned to a Class of Units shall only be subject to an easement in favor of members of that Class unless otherwise specifically provided herein. The Executive Board shall not and cannot establish any rules and regulations depriving any Unit Owner of reasonable ingress, egress and regress to and from his Unit, the Property and Common Elements, and the adjoining public streets.

80pg 9 Timothy Swenson
P.O Box 314
OOB me 04064

2. Article IV, Special Declarant Rights and Easements, Section 4.6 Easements is amended by adding a new Subsection (e) as follows:

(e) Plaza Class Ingress, Egress and Regress. The Plaza Class Unit Owner, its successors, assigns, guests, and invitees, shall have an easement for pedestrian ingress, egress and regress between Cortland Avenue and the Plaza Class Unit, along and over the vehicular travel lane in the "Paved Parking Lot Travel Way: Residential/Hotel LCE" shown on the Condominium Plat annexed hereto as Exhibit C.

3. Article III, Common Elements and Limited Common Elements, Section 3.3(a)(i), which currently reads as follows:

i. Each Residential/Hotel Class Unit shall be entitled to the exclusive use of one (1) exterior parking space as shown as Parking Limited Common Elements (PLCE) on the Plat and/or Plans.. Each PLCE shall be appurtenant to the Residential/Hotel Unit specified in Exhibit E attached hereto; PROVIDED, HOWEVER, that the Executive Board shall have the right and obligation, upon request and on a first come first served basis, to assign the handicapped parking spaces shown on the Plat to the Residential/Hotel Class Unit Owners which qualify for such handicapped spaces, and to reallocate the use of such spaces to a qualified Unit Owner when a Unit Owner is no longer eligible for such handicapped parking space. Such reallocation shall not require the consent of the affected Unit Owner(s) or an amendment to this Declaration, but shall be reflected in the records of the Association and upon the Resale Certificate in the event the affected Unit(s) is sold. The Association may install a gate to restrict access into the parking area and may require that any vehicles parked display an identification badge furnished by the Association; provided, however, that in the event a gate is installed, the Association may not limit access of delivery vehicles to the Commercial/Plaza Class Units;

is amended and replaced as follows:

i. Each Residential/Hotel Class Unit shall be entitled to the exclusive use of one (1) exterior parking space as shown as Parking Limited Common Elements (PLCE) on the Plat and/or Plans. Each PLCE shall be appurtenant to the Residential/Hotel Unit specified in Exhibit E attached hereto; PROVIDED, HOWEVER, that until the completion of all the parking spaces shown on the Plat, the Declarant (or the Executive Board following the expiration of the Declarant Control Period) shall have the right to allocate the exclusive use of the PLCE without the consent of any Unit Owner and without an amendment to the Declaration. Within sixty (60) days following substantial completion of all the PLCE, the remaining provisions of this Subsection and the allocation set forth in Exhibit E shall control. PROVIDED, FURTHER, that the Executive Board shall have the right and obligation, upon request and on a first come first served basis, to assign the handicapped parking spaces shown on the Plat to the Residential/Hotel Class Unit Owners which qualify for such handicapped spaces, and to reallocate the use of such spaces to a qualified Unit Owner when a Unit Owner is no longer eligible for

such handicapped parking space. Such reallocation shall not require the consent of the affected Unit Owner(s) or an amendment to this Declaration, but shall be reflected in the records of the Association and upon the Resale Certificate in the event the affected Unit(s) is sold. The Association may install a gate to restrict access into the parking area and may require that any vehicles parked display an identification badge furnished by the Association; provided, however, that in the event a gate is installed, the Association may not limit access of delivery vehicles to the Commercial/Plaza Class Units;

4. Exhibit B to the Declaration, as amended by the First Amendment to Grand Victorian Hotel Condominium Declaration dated June 23, 2006, recorded in the York Registry of Deeds in Book 14877, Page 618, is corrected, amended and replaced by Exhibit B annexed hereto and made a part hereof.

5. The Condominium Plat dated January 6, 2006, recorded in the York Registry of Deeds in Condo File 626, Page 2, a reduced copy of which is attached to the Declaration as Exhibit C, is amended and replaced with the Condominium Plat as revised October 25, 2006, a reduced copy of which is annexed hereto and made a part hereof as Exhibit C, to be recorded herewith in the said Registry in Condo File 626, Page 15.

6. The Condominium Ground Level Plan C-0, dated January 6, 2006, recorded in the York Registry of Deeds in Condo File 626, Page 2, a reduced copy of which is attached to the Declaration as Exhibit C, is amended and replaced with a revised Condominium Ground Level Plan C-0, dated October 25, 2006 (a reduced copy of which is annexed hereto and made a part hereof as Exhibit C-0), to be recorded herewith in the said Registry in Condo File 626, Page 16.

7. The Condominium First Floor Plan C-1, dated January 6, 2006, recorded in the York Registry of Deeds in Condo File 626, Page 3, a reduced copy of which is attached to the Declaration as Exhibit C, is amended and replaced with a revised Condominium First Floor Plan C-1, dated October 25, 2006 (a reduced copy of which is annexed hereto and made a part hereof as Exhibit C-1), to be recorded herewith in the said Registry in Condo File 626, Page 17.

8. The Condominium Second Floor Plan C-2, dated January 6, 2006, recorded in the York Registry of Deeds in Condo File 626, Page 4, a reduced copy of which is attached to the Declaration as Exhibit C, is amended and replaced with a revised Condominium Second Floor Plan C-2, dated October 25, 2006 (a reduced copy of which is annexed hereto and made a part hereof as Exhibit C-2), to be recorded herewith in the said Registry in Condo File 626, Page 18.

9. The Condominium Third Floor Plan C-3, dated January 6, 2006, recorded in the York Registry of Deeds in Condo File 626, Page 5, a reduced copy of which is attached to the Declaration as Exhibit C, is amended and replaced with a revised Condominium Third Floor Plan C-3, dated October 25, 2006 (a reduced copy of which is annexed hereto and made a part hereof as Exhibit C-3), to be recorded herewith in the said Registry in Condo File 626, Page 19.

10. The Condominium Fourth Floor Plan C-4, dated January 6, 2006, recorded in the York Registry of Deeds in Condo File 626, Page 6, a reduced copy of which is attached to the

Declaration as Exhibit C, is amended and replaced with a revised Condominium Fourth Floor Plan C-4, dated October 25, 2006 (a reduced copy of which is annexed hereto and made a part hereof as Exhibit C-4), to be recorded herewith in the said Registry in Condo File 626, Page 20.

11. The Condominium Fifth Floor Plan C-5, dated January 6, 2006, recorded in the York Registry of Deeds in Condo File 626, Page 7, a reduced copy of which is attached to the Declaration as Exhibit C, is amended and replaced with a revised Condominium Fifth Floor Plan C-5, dated October 25, 2006 (a reduced copy of which is annexed hereto and made a part hereof as Exhibit C-5), to be recorded herewith in the said Registry in Condo File 626, Page 21.

12. The Condominium Sixth Floor (Attic) Plan C-6, dated January 6, 2006, recorded in the York Registry of Deeds in Condo File 626, Page 8, a reduced copy of which is attached to the Declaration as Exhibit C, is amended and replaced with a revised Condominium Sixth Floor (Attic) Plan C-6, dated October 25, 2006 (a reduced copy of which is annexed hereto and made a part hereof as Exhibit C-6), to be recorded herewith in the said Registry in Condo File 626, Page 22.

13. The Condominium Building Roof Plan C-7, dated January 6, 2006, recorded in the York Registry of Deeds in Condo File 626, Page 9, a reduced copy of which is attached to the Declaration as Exhibit C, is amended and replaced with a revised Condominium Building Roof Plan C-9, dated October 25, 2006 (a reduced copy of which is annexed hereto and made a part hereof as Exhibit C-9), to be recorded herewith in the said Registry in Condo File 626, Page 23.

14. The Condominium Building Section C-8, dated January 6, 2006, recorded in the York Registry of Deeds in Condo File 626, Page 10, a reduced copy of which is attached to the Declaration as Exhibit C, is amended and replaced with a revised Condominium Building Section C-8, dated October 25, 2006 (a reduced copy of which is annexed hereto and made a part hereof as Exhibit C-8), to be recorded herewith in the said Registry in Condo File 626, Page 24.

15. The Condominium Building Section C-9, dated January 6, 2006, recorded in the York Registry of Deeds in Condo File 626, Page 11, a reduced copy of which is attached to the Declaration as Exhibit C, is amended and replaced with a revised Condominium Building Section C-9, dated October 25, 2006 (a reduced copy of which is annexed hereto and made a part hereof as Exhibit C-9), to be recorded herewith in the said Registry in Condo File 626, Page 25.

16. The Condominium Building Section C-10, dated January 6, 2006, recorded in the York Registry of Deeds in Condo File 626, Page 12, a reduced copy of which is attached to the Declaration as Exhibit C, is amended and replaced with a revised Condominium Building Section C-10, dated October 25, 2006 (a reduced copy of which is annexed hereto and made a part hereof as Exhibit C-10), to be recorded herewith in the said Registry in Condo File 626, Page 26.

17. The Condominium Building Section C-11, dated January 6, 2006, recorded in the York Registry of Deeds in Condo File 626, Page 13, a reduced copy of which is attached to the Declaration as Exhibit C, is amended and replaced with a revised Condominium Building

Section C-11, dated October 25, 2006 (a reduced copy of which is annexed hereto and made a part hereof as Exhibit C-11), to be recorded herewith in the said Registry in Condo File 626, Page 27.

IN WITNESS WHEREOF, the undersigned have caused this Second Amendment to Declaration to be executed as of the 26th day of October, 2006.

Witness:

Linda W. Madden

GRAND VICTORIAN, LLC

By: _____
Its Manager Duly Authorized

OLD ORCHARD BEACH ASSOCIATES, LIMITED LIABILITY COMPANY

By: George Kerr
George Kerr, its Manager

STATE OF MAINE
YORK, ss.

November 2, 2006

Personally appeared Timothy J. Swenson in his capacity as a Manager of Grand Victorian, LLC, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of Grand Victorian, LLC.

Linda W. Madden
Notary Public/ ~~Attorney at Law~~

Print Name: Linda W. Madden

My commission expires: May 29, 2008

SEAL

STATE OF MAINE
YORK, ss.

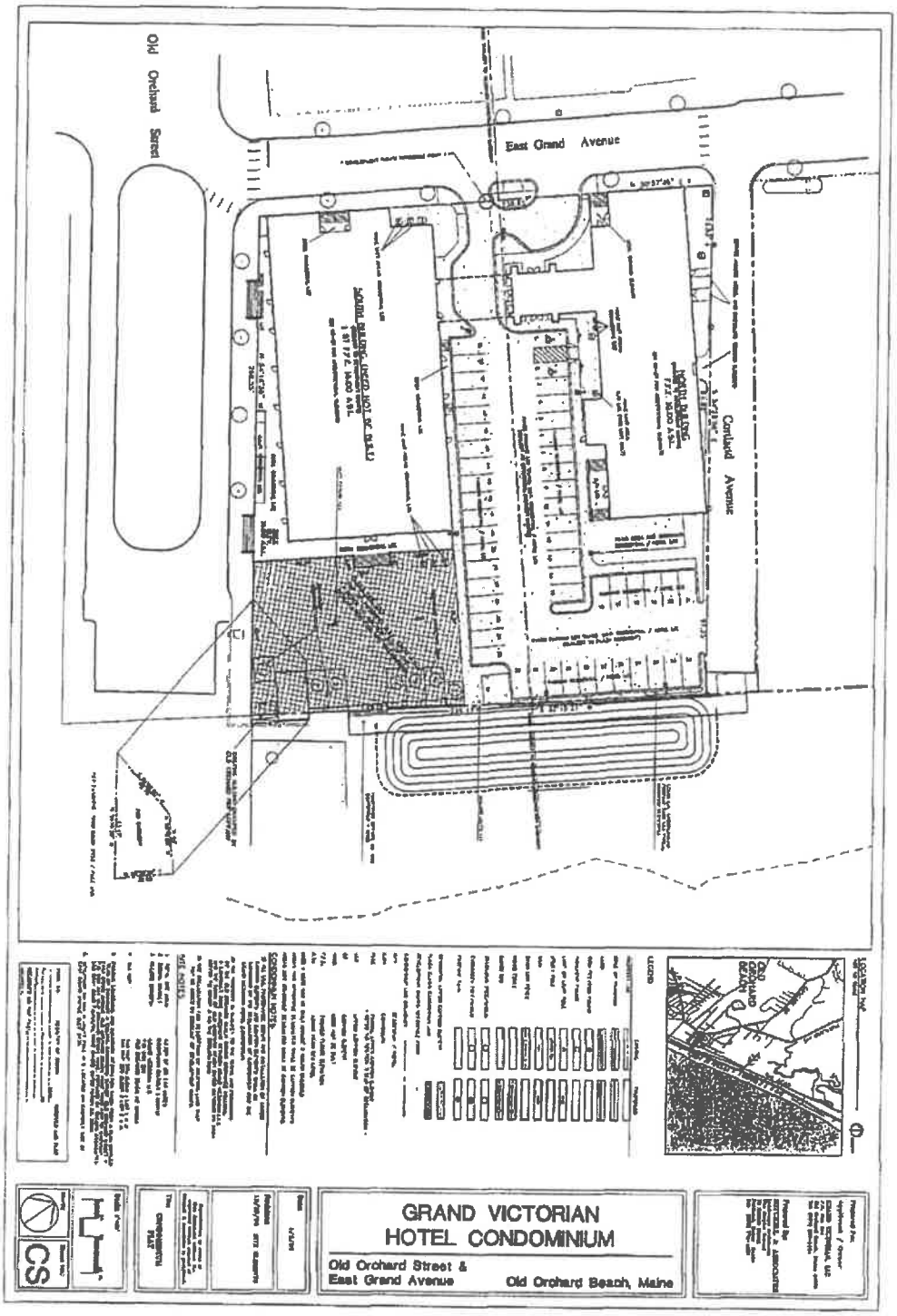
November 1, 2006

Personally appeared George Kerr in his capacity as a Manager of Old Orchard Beach Associates, Limited Liability Company, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of Old Orchard Beach Associates, Limited Liability Company.

~~Notary Public~~ Attorney at Law

Print Name: David P Cyr

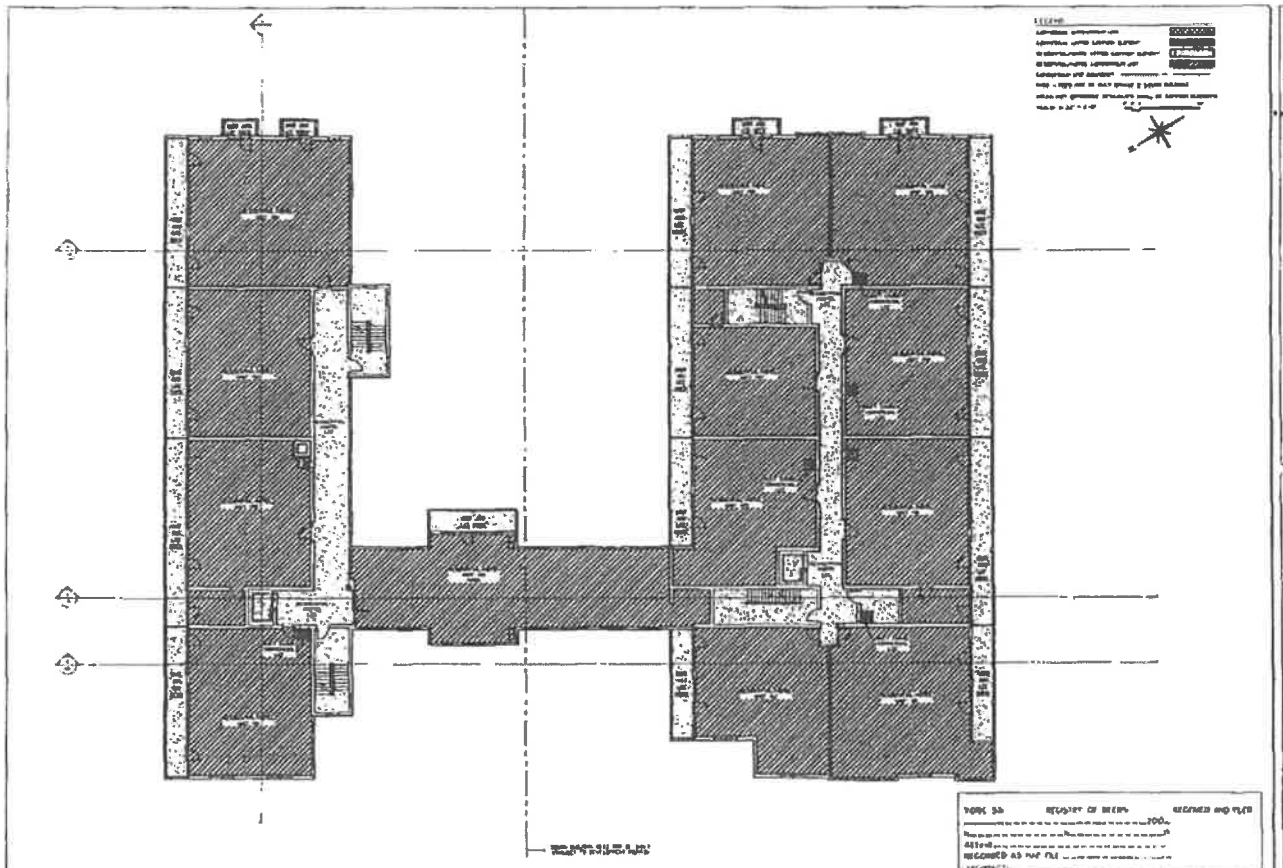
My commission expires:


Old Orchard Street
East Grand Avenue
Cortland Avenue
GRAND VICTORIAN
HOTEL CONDOMINIUM
Old Orchard Street &
East Grand Avenue
Old Orchard Beach, Maine

1 FIRST FLOOR PLAN

C-1

1
SECOND FLOOR PLAN
C-2



1 FOURTH FLOOR PLAN

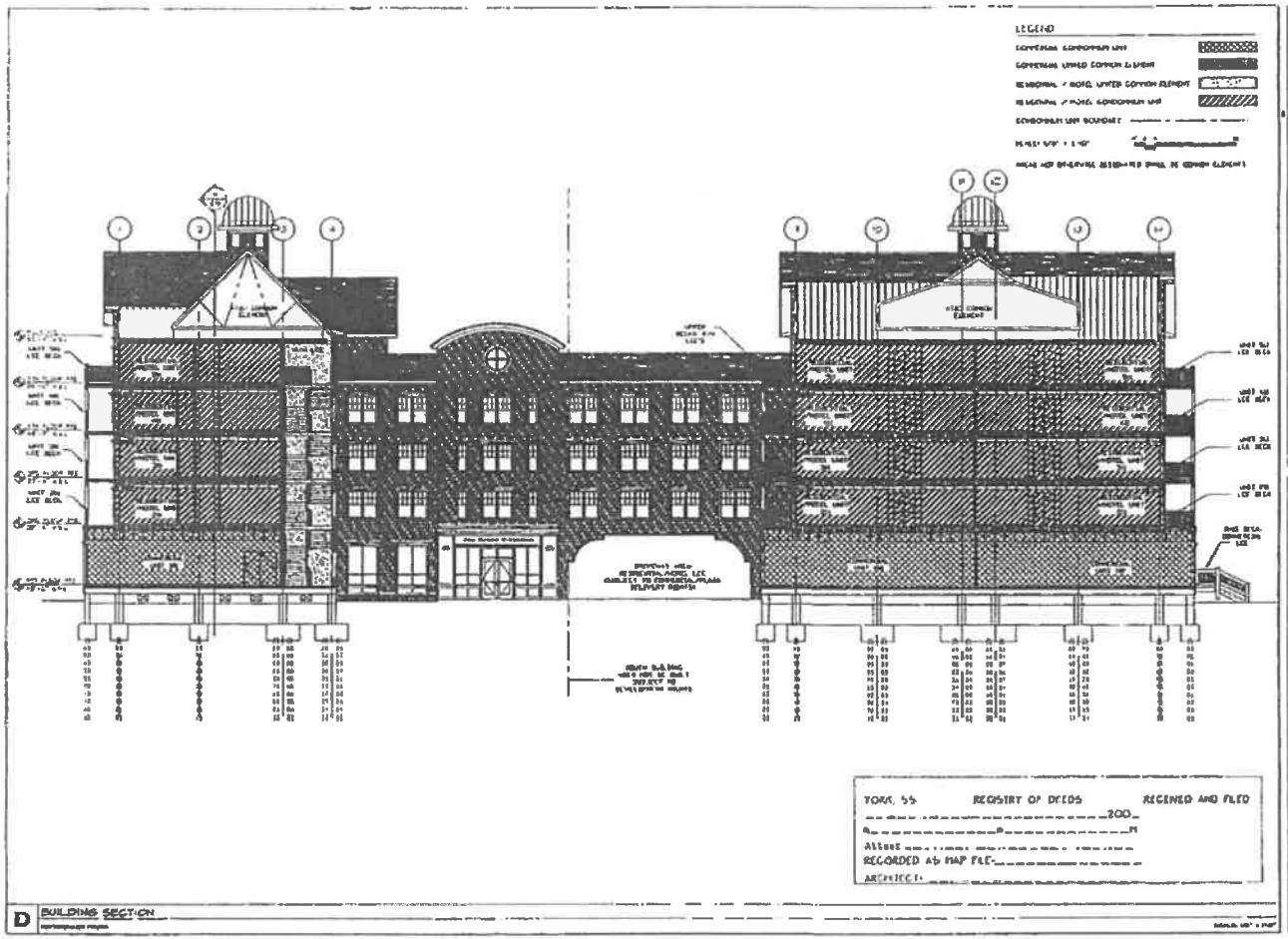
C-4

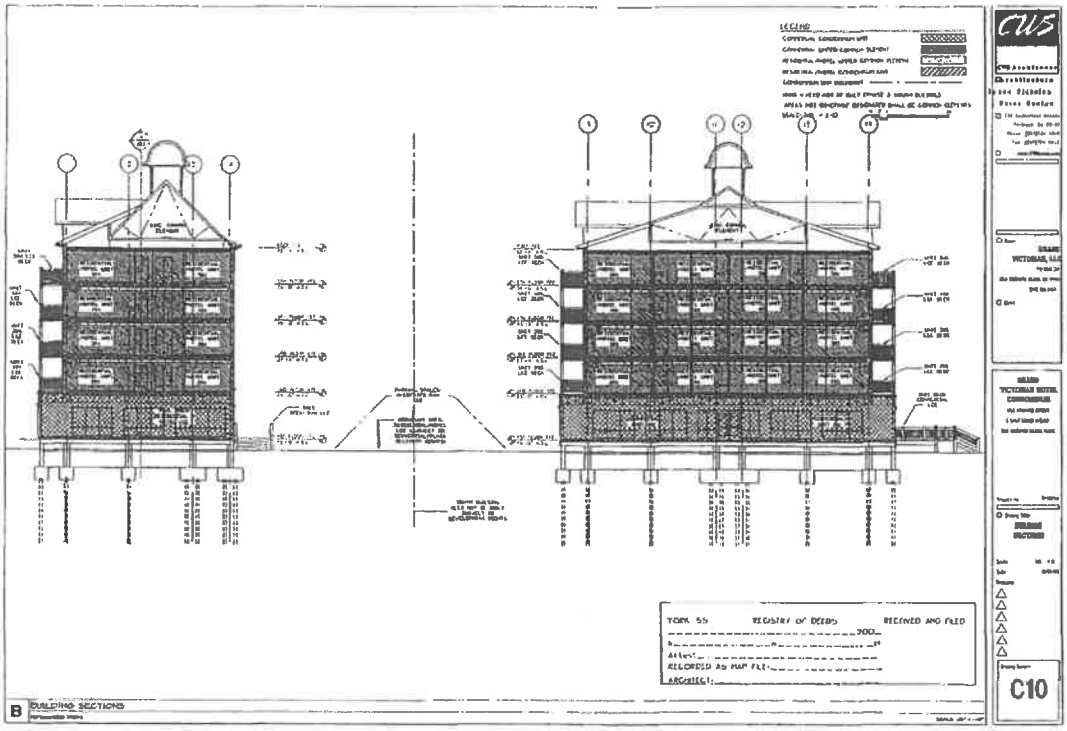
1 FIFTH FLOOR PLAN

C-5

1 BUILDING ROOF PLAN

C-7


LEGEND
CWS
GRAND VICTORIAN, LLC
GRAND VICTORIAN HOTEL CONDOMINIUM
BUILDING SECTION
C8
YORK, SS
REGISTRY OF DEEDS
RECEIVED AND FILED
200
Attest
RECORDED AS MAP FILE
ARCHITECT
D
BUILDING SECTION


LEGEND
YORK SS
REGISTRY OF DEEDS
RECEIVED AND FILED
RECORDED AS MAP FILE
ARCHITECT
B
BUILDING SECTIONS
C10

H
BUILDING SECTION
C11

Exhibit B

GRAND VICTORIAN HOTEL CONDOMINIUM

PERCENTAGE INTEREST
19 Units

	Square Feet	Common Element Percentage Interest	Vote**	Common Expense Percentage
Commercial:				
Unit 101	1,488	4.1195	1	4.1195
Unit 102	11,945	33.0694	6	33.0694
Plaza:				
Unit 103	865	2.3947 *	1	2.3947
Residential:				
Unit 201	1,243	3.4412	1	3.4412
Unit 202	1,379	3.8177	1	3.8177
Unit 203	1,260	3.4883	1	3.4883
Unit 204	1,648	4.5624	1	4.5624
Unit 301	1,243	3.4412	1	3.4412
Unit 302	1,379	3.8177	1	3.8177
Unit 303	1,260	3.4883	1	3.4883
Unit 304	1,648	4.5624	1	4.5624
Unit 401	1,243	3.4412	1	3.4412
Unit 402	1,379	3.8177	1	3.8177
Unit 403	1,260	3.4883	1	3.4883
Unit 404	1,648	4.5624	1	4.5624
Unit 501	1,072	2.9678	1	2.9678
Unit 502	1,331	3.6848	1	3.6848
Unit 503	1,200	3.3222	1	3.3222
Unit 504	1,630	4.5126	1	4.5126

*Note: Pursuant to Section 1.4 of the Declaration, the Allocated Interest of the Plaza Unit has been reduced by 90% of the actual floor area of the Unit.

**Note: Pursuant to Section 1.4 of the Declaration, the Commercial and Plaza Class Units have been allocated votes equal to one-half the total number of Residential/Hotel Class votes outstanding from time to time, which votes are divided among the Commercial and Plaza Class Units in proportion to their respective Common Expense Liability, rounded up to the nearest whole vote.

END OF DOCUMENT