AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS

SUMMER PLACE

PORTLAND, MAINE

At a meeting of the members of Summer Place Association on August 26, 2008, said meeting noticed consistent with the Summer Place Association By-laws, the Summer Place Association voted unanimously to amend its Declaration of Covenants and Restrictions. The original Declaration of Covenants and Restrictions was recorded in the Cumberland County Registry of Deeds at Book 11876, Page 157-188.

NOW, THEREFORE, Book 11876, Pages 157-188 in the Cumberland County Registry of Deeds shall be amended as follows:

1. In Book 11876, Page 158, section 1, item B, shall be deleted in its entirety, and replaced as follows; *"B. Any alterations and/or changes to the lots and structures shall be subject to review by the Design Review Board pursuant to the provisions in this document and those described in Exhibit B attached hereto."*

2. In Book 11876, Page 158, section 1B, Design Review Board, shall be deleted and replaced with the following:
   "1B Design Review Process

   I. *A Design Review Board (DRB) shall be formed to review all changes and alterations to the properties as described in this document and Exhibit B. The DRB shall consist of three Summer Place property owners, with one member named as the chairman of the DRB. In situations where a DRB board member must be excused from the review process, then one of the neighbors adjacent to the property under review shall be asked to participate in the design review.*
   II. *Property owners shall submit a request, in the format shown in Exhibit B, to the DRB for written approval prior to beginning any work or alterations to their property. The DRB shall submit their decision to the property owner within fourteen business days from the date the request was submitted.*
   III. *The property owner may appeal any decisions by the DRB to the Summer Place Board of Directors. Findings from the Board on such appeal shall be considered final.*
   IV. *If a property owner commences work on his property without submitting a request for approval to the DRB, then the DRB shall notify the property owner that such approval is needed. If after three business days the property owner fails to respond to the DRB notification, then a second notification shall be issued. If after three days the property owner has not responded to the second notification then the DRB will issue a denial of the work being under taken by the property owner.*
   V. *Property owners shall be assessed fines for failure to comply with the Design Review Process. Such fines shall be as follows:*
      a. *Failure to submit a request for review to DRB prior to commencing work - $50.00*

b. *Failure to submit request for DRB review resulting in first notification - $1000.00*
c. *Failure to respond to DRB first notification resulting in second notification - $2000.00*
d. *Implementing work after denial by DRB – all costs to return property to its original, pre-alteration condition*

Property owner shall be liable for all costs and fees required for the Association to collect such fines."

e. *Failure to comply with the above shall result in liens on the property. Such liens shall be implemented in accordance with item "16. ENFORCEMENT" in the Declaration of Covenants and Restrictions.*

3. In Book 11876, Page 184, Changes to Exhibit B, Design Review, shall be made as follows:
   1. Under Article I, section C, second line, after the word "lot", add *"regardless of property side or its orientation to the street,"*
   2. Under Article III, section B, add *"7. Any alterations shall be of the same style and design of the existing fence."*
   3. Under Article III, add the following; *"D. Miscellaneous.*
      1. *Air conditioning units shall be placed in a location not facing Summer Place Street, unless no other suitable location is available."*
   4. Under Article IV, section K, add the following: *"Decks and handrails shall be constructed of wood or architecturally designed, composite plastic materials."*

NOW, THEREFORE, the undersigned officers of the Summer Place Association do hereby affirm and represent that the above amendments were unanimously approved at a duly noticed meeting, that the record of said votes is contained in the corporate record book of Summer Place Association, and that counsel for the Corporation is instructed to record this document in the Cumberland County Registry of Deeds.

Kenneth Rogers, President — Date: 4/14/09

Dorothy Moskovis, Treasurer — Date: 4/14/09

Melodie DaCorta, Secretary — Date: 4/14/09

Doc#: 31549 Bk:26962 Pg: 321

STATE OF MAINE

COUNTY OF CUMBERLAND

June 4, 2009

The above named KENNETH ROGERS, DOROTHY MOSKOVIS, and MELODIE DACORTA appeared before me and took oath that the foregoing is the original amendment signed by them as Officers of Summer Place Association on April 14th, 2009, and intended to be filed with the Cumberland County Registry of Deeds.

Notary Public

Kallen Kneeland, Notary Public
State of Maine
My Commission Expires
June 8, 2014

Received
Recorded Register of Deeds
Jun 04,2009 03:46:58P
Cumberland County
Pamela E. Lovley