

FIRST AMENDMENT TO  
IPSWICH DAIRY CONDOMINIUM TRUST

This First Amendment is made as of the 29<sup>th</sup> day of October, 1990, to the IPSWICH DAIRY CONDOMINIUM TRUST under Declaration of Trust dated July 5, 1990, recorded in Essex South District Registry of Deeds, Book 10490, Page 404, pursuant to the provisions of subsection a. of Section 7 of said Trust.

A. The following paragraph is added to subsection c. of Section 3, Trustees, following the initial paragraph:

"In the event of a deadlock among the Trustees concerning any issue within the Trustees' purview, such issue shall be resolved by arbitration to be conducted upon the request of any two (2) Trustees. Such arbitration shall be before a disinterested arbitrator if one can be agreed upon, otherwise before three (3) disinterested arbitrators, one named by each of the groups of Trustees and one by the two thus chosen. The arbitrator(s) shall determine the controversy in accordance with the laws of the Commonwealth of Massachusetts and the terms of the Condominium documents. The cost of all arbitration proceedings hereunder shall be borne by the Condominium Trust as an expense of management."

B. The following paragraph is added as Section 37. of the By-Laws set forth in Exhibit A to the Trust:

"37. Arbitration. Any controversy which may arise between the Trustees and a Unit Owner regarding the rights, duties or liabilities hereunder of either party shall be settled by arbitration. Such arbitration shall be before a disinterested arbitrator if one can be agreed upon, otherwise before three (3) disinterested arbitrators, one named by the Trustees, one by the Unit Owner and one by the two thus chosen. The arbitrator(s) shall determine the controversy in accordance with the laws of the Commonwealth of Massachusetts as applied to facts found by him or them. Each party to the arbitration shall pay one half of the cost thereof."

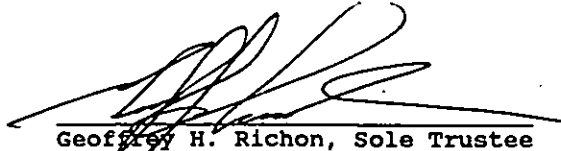
C. Section 26. of the By-Laws set forth in Exhibit A to the Trust is replaced with the following provision:

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"26. Combustible Materials. Combustible materials may be kept in commercially reasonable quantities, but only in proper containers and stored in a safe manner."

This Amendment is made as of the date first above written by the sole Trustee.



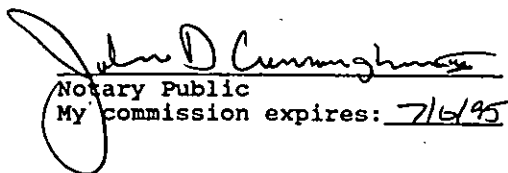
Geoffrey H. Richon, Sole Trustee

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

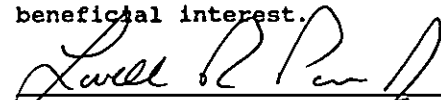
October 29, 1990

Then personally appeared the above-named GEOFFREY H. RICHON, Trustee as aforesaid, and acknowledged the foregoing instrument to be his free act and deed, before me,



Notary Public  
My commission expires: 7/6/95

Consent of Unit Owners having at least 51 per cent of the beneficial interest.



Lovell R. Parsons, Jr., Trustee  
of Marble Road Realty Trust of Gloucester,  
Owner of Unit 2 (34%), Unit 3 (16%),  
Unit 4 (7%) and Unit 6 (17%) -- Total 74%