



2009 00175571

Bk: 53495 Pg: 194 Doc: AMEND  
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LOCAL INITIATIVE PROGRAM

AMENDMENT TO REGULATORY AGREEMENT AND  
DECLARATION OF RESTRICTIVE COVENANTS FOR  
COMPREHENSIVE PERMIT OWNERSHIP PROJECT

This AMENDMENT to the Regulatory Agreement and Declaration of Restrictive Covenants is made this 23 day of June, 2009, by and among the Commonwealth of Massachusetts, acting by and through the Department of Housing and Community Development ("DHCD"), the Town of Acton (the "Municipality"), and 737 Main Street LLC, having an address of 32 Sandy Pine Road, Templeton, Massachusetts 01468 and its successors and assigns ("Project Sponsor").

WITNESSETH:

WHEREAS, DHCD, the Municipality, and the Project Sponsor entered into a Regulatory Agreement and Declaration of Restrictive Covenants (the "Regulatory Agreement") for a housing development known as Madison Place located on a 2.42- acre site on Main Street in the Municipality (the "Project"), which Regulatory Agreement was recorded with the Middlesex South Registry of Deeds at Book 51475, Page 222; and

WHEREAS, the parties have agreed to increase the maximum sale prices for the Low and Moderate Income Units in the Project;

NOW, THEREFORE, DHCD, the Municipality, and the Project Sponsor hereby agree and covenant as follows:

In Exhibit B, the Maximum Selling Prices for the Low and Moderate Income Units, all of which are three-bedroom units, shall be \$176,600 and the Unit Percentage Interest shall be 5.36%.

Except as herein modified, all terms and conditions of the Regulatory Agreement shall remain in full force and effect.

Executed as a sealed instrument as of the date first written above.

(Project Sponsor) 737 Main Street LLC

By: Ronald B. Peabody  
Ronald B. Peabody,

Its: Manager and Authorized Signatory

737 Main St  
Chase Park, Acton

RETURN TO:  
GRAHAM & HARSIP, P.C.  
ATTORNEYS AT LAW  
289 209 GREAT ROAD  
ACTON, MA 01720

Municipality

By: Paul Kuhl

Its: Charman, BOS

Department of Housing and Community Development

By: [Signature]

Its: Associate Director

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF Middlesex, ss.

June 16, 2009

On this 16<sup>th</sup> day of June, 2009, before me, the undersigned notary public, personally appeared Ronald B. Peabody, proved to me through satisfactory evidence of identification, which was personally known, to be the person whose name is signed on the preceding document, as Manager and Authorized Signatory of 737 Main Street LLC, the Project Sponsor, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Joanne Martin

Notary Public  
Print Name: Joanne Martin  
My Commission Expires:



COMMONWEALTH OF MASSACHUSETTS

COUNTY OF Middlesex, ss.

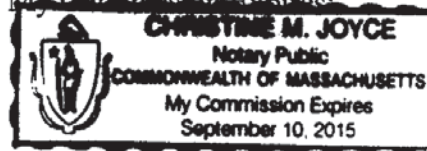
June 23, 2009

On this 23 day of June, 2009, before me, the undersigned notary public, personally appeared Pauline Knibbe, proved to me through satisfactory evidence of identification, which was known to me to be the person whose name is signed on the preceding document, as Chair, Board of Selectmen for the Town of Acton, Massachusetts, and acknowledged to me that he signed it voluntarily for its stated purpose.

Christine M. Joyce  
Notary Public

Print Name:

My Commission Expires:



COMMONWEALTH OF MASSACHUSETTS

COUNTY OF SUFFOLK, ss.

July 23, 2009

On this 23rd day of July, 2009, before me, the undersigned notary public, personally appeared Catherine Racer, proved to me through satisfactory evidence of identification, which were personal knowledge, to be the person whose name is signed on the preceding document, as Associate Director for the Commonwealth of Massachusetts acting by and through the Department of Housing and Community Development, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Nicole L. Alberino  
Notary public

Print Name:

Nicole L. Alberino

My Commission Expires: 12/20/2013

