



Ocean-Aire
Homeowners Association, Inc.

P. O. Box 83, Manomet, MA 02345

**By-Laws of
Ocean-Aire Homeowners Association, Inc.**

Maps of Common Area

Articles of Organization

Protective Restrictions

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AMENDED
BY-LAWS OF
OCEAN-AIRE HOMEOWNERS ASSOCIATION, INC.

ARTICLE I
ARTICLES OF ORGANIZATION

Section 1. Applicability. The name, location of principle office, and purposes of the Corporation shall be set forth in its Articles of Organization; and these By-Laws, the powers of the Corporation and of its directors and members, and all matters concerning the conduct and regulation of the business of the Corporation and of its directors and members, and all matters concerning the conduct and regulation of the business of the Corporation shall be subject to such provisions in regard thereto, if any, as are set forth in said Articles of Organization which are hereby made a part of these By-Laws.

Section 2. Reference: Effect The reference in these By-Laws to the Articles of Organization shall be construed to mean the Articles of Organization of the Corporation as from time to time amended.

ARTICLE II
CORPORATE SEAL

Section 1. The corporate seal of the Corporation shall consist of two concentric circles, between which shall be inscribed the year and state of incorporation. The form of the seal and the inscription thereon may be changes by the Board of Directors at any time.

ARTICLE III
MEMBERSHIP

Section 1. Basis for Membership. Membership in the Corporation shall be open, subject to further terms of these By-Laws, only to such persons and the successors by grant or testamentary effect of such persons to whom a deed has been delivered evidencing ownership of any lot in a development known as Ocean-Aire at Plymouth, in Plymouth, Plymouth County, Massachusetts or such persons as are owners of the equitable

interest in a lot in said Ocean-Aire under an installment sales contract. In the event that such ownership is jointly held by more than one person, the joint parties shall hold a singular (but joint) membership hereunder, it being intended hereby that each lot shall be the basis for only one membership in this Corporation. Membership shall cease and terminate upon failure to comply with the terms of these By-Laws or upon any transfer of title to the lot upon ownership of which such membership is based.

Section 2. Application for Membership: Dues. Any person eligible for membership in this Corporation shall apply for membership in such form and manner as the Board of Directors may, from time to time, determine and, until such determination, application shall be presumed with and upon the delivery by the developer of the foregoing development a deed evidencing ownership of a lot in said development or the execution of a conditional sales contract for a lot in said development. The annual dues, including an amount to be applied to the general annual assessment, shall be \$100.00 per year (base year 1991) plus a cumulative increment of 5% per year (rounded up to the next whole dollar), which amount is deemed to be the minimum necessary to cover all assessments legally due and payable including, but not limited to, taxes, water, electricity, or other utilities or municipal charge, insurance premiums on all policies of insurance obtained by the Board of Directors pursuant to Article V, Section 3, legal, accounting, mailing and other office expenses. Any amounts remaining, to be applied to the operation, maintenance, and improvement of the common areas, or set aside as a reserve fund for repairs, maintenance, or other unforeseen expenses which may become payable by the Corporation in the future.

Section 3. Forfeiture of Membership. Any member who fails to pay when due, annual dues and assessments and other charges, as hereinbefore provided, or who violates the terms and conditions of these By-Laws or the provisions of any deed covering lot(s) in the foregoing Development or any covenant or restriction set forth or referred to in said Declaration of Restrictions, may, in the sole discretion of the Board of Directors, be expelled as a member of this Corporation. Except as otherwise, in any instance, determined by the Board of Directors, the failure to pay annual dues and assessments within six (6) months after the due date thereof, or to pay any special assessment within three (3) months after the due date thereof as hereinbefore provided shall result in the automatic expulsion of the member failing to make any such payment and the Clerk shall remove such person from the membership roll. In the event of expulsion as member hereunder, all rights and privileges of membership shall be forfeited, and such expulsion shall not be in limitation of any such other remedies as the Association may have as assignee of said Declaration of

Restrictions, including (without limitation) the collection of assessments hereunder.

Section 4. Good Standing. The term "good standing" as referred to in these By-Laws shall be applicable only to such members as have complied with all of the terms and conditions hereof, who are not in arrears in any payments required hereunder and who are, in no manner, in violation of the terms, conditions, covenants, or restrictions, set forth or referred to in the deed covering lots in said Development or the hereinbefore referred to Declaration of Restrictions. Only members in good standing shall have the right to vote, and shall be included in determining a quorum, at any meeting of the members of this Corporation.

Section 5. Reinstatement. Any member who has been expelled or not in good standing may be immediately reinstated as a member in good standing by correction of the condition, which caused the expulsion, or lack of good standing.

ARTICLE IV FISCAL YEAR: BANK ACCOUNTS

Section 1. Fiscal Year. Except as may from time to time be otherwise provided by the Board of Directors, the fiscal year of the Corporation shall be one ending on the 31st day of December, in each calendar year.

Section 2. Bank Accounts. The moneys of the Corporation shall be deposited in the name of the Corporation in such bank(s) or Trust Company (ies) as the Board of Directors may from time to time designate and shall be withdrawn only by check, draft or order signed by persons designated by vote of the Board of Directors.

ARTICLE V OFFICERS AND THEIR ELECTION

Section 1. Officers. The officers of the Corporation shall be a President, a Treasurer, and a Clerk and there shall be a Board of Directors consisting of not less than three nor more than eleven Directors. The President, Treasurer and all members of the Board of Directors must be members of the Association. The Clerk does not need to be a member of the Association. There may be one or more Vice Presidents, Assistant Treasurers, Assistant Clerks, and other officers and agents, with such duties and powers as the Board of Directors in their discretion may choose appoint, such officers and agents in each instance to hold office at the pleasure of the Board of Directors.

Section 2:The Board of Directors shall represent and act for the Corporation in all matters. The Board of Directors shall have and may exercise all of the powers of the Corporation except as are reserved to the Members by law, the Articles of Organization, or these Bylaws. Such powers and duties of the Board of Directors shall include, but shall not be limited to, the following:

- (a) Establish and disestablish committees and appoint members thereto or remove any such member with or without cause, upon the recommendation of any Director;
- (b) Operation, care, upkeep and maintenance of the common areas and facilities;
- (c) Determination of the common expenses required for the affairs of the Corporation, including without limitation, the operation and maintenance of the property of the Corporation;
- (d) Assessment and collection of the dues and common charges (which for the purpose of these Bylaws shall mean such portion of the common expenses as are payable by the lot owners) from the Members;
- (e) Employment and dismissal of the personnel necessary for the maintenance and operation of the common areas and facilities;
- (f) Adoption and amendment of rules and regulations covering the details of the operations and use of the property of the Corporation such as are designed to prevent the unreasonable interference with the lots and the common areas and facilities;
- (g) Opening of bank accounts on behalf of the Corporation and designating the signatories required therefore;
- (h) Obtaining insurance pursuant to the provisions of Article V, Sections 2 and 3 hereof;
- (i) Making repairs, additions, and improvements to or alterations of the common areas and facilities;
- (j) Making repairs to and restoration of the Corporation property in accordance with the other provisions of these Bylaws after damage or destruction by fire or other casualty or as a result of condemnation or eminent domain proceeding,
- (k) Acquiring, on behalf of the Corporation, property and disposing of

property, but in no event shall the Board of Directors have the power to acquire or dispose of real property except as provided herein;

- (l) Accepting, in the name of and on behalf of the Corporation, such deeds as may be delivered to it, covering the fee in and to all the roads, parks, walkways, open or easement areas, and to other lands or interest therein and forming a part or parcel of the Development herein before referred to, which deeds shall, as soon as practicable, be recorded with the Plymouth County Registry of Deeds;
- (m) Entering into contracts, but the Board of Directors shall not have the power to enter into a contract in excess of one year without the consent of all Members entitled to vote at a meeting called for that purpose;
- (n) Obtaining advice of counsel, accountants, and other professionals and relying thereon;
- (o) Requiring the giving of bonds to the Corporation in an amount or amounts and with surety or sureties satisfactory to the Board of directors for the faithful performance of duties by any Officer or employee;
- (p) Requiring the giving of bonds in an amount or amounts and with surety or sureties satisfactory to the Board of Directors, 10% of the estimated sale price as determined by The Board of Directors, but in no event less than \$500, for the faithful performance of any contractor or developer, whether hired or engaged by the Corporation, or otherwise retained by another including Members, on any new construction, including additions, in order to protect and indemnify the Corporation against damage to the common or other property of the Corporation. The bond will be held until an occupancy permit and Board approval is received.
- (q) Creating such additional Offices and hiring such agents as the Board of Directors may deem necessary or proper and defining the duties thereof.
- (r) Entering into a "One Lot Usage Agreement" upon application by a Member to the Board of Directors, where there are two or more adjoining lots one or more of which may be occupied by the applicant Member's dwelling house, and which multiple lots are or will be utilized by that Member as part of a single dwelling or

residential unit. Such agreement to reflect that the said adjoining lots shall be deemed to be one lot for purposes of Membership and dues assessments hereunder, and that, if multiple or distinct owners are involved, their distinct interest in the said lot or lots is to be identified in and their signatures to be secured on such agreement. The agreement may be for a term of years, or for such other period as may be determined by the Board of Directors in its sole discretion, and may be revoked with cause by the Board upon thirty (30) days notice to the said Member, or successors(s) thereto, all as may be limited by and specified in the said agreement.

Section 3. Vacancies. If the office of any director or directors, or any other office, becomes vacant by reason of death, resignation, retirement, disqualification, removal from office, or otherwise, the remaining directors, may, by the majority vote of the remaining directors, choose a successor or successors, who shall hold office for the unexpired term in respect of such vacancy or until his successor be chosen and qualified.

The members may, at a special meeting called for the purpose, choose a successor to a director or other statutory officer, whose office may have become vacant by reason of death, resignation, retirement, disqualification, removal from office, or otherwise, and the person chosen shall displace any successor theretofore chosen by the Board of Directors and shall hold office until the next annual meeting of the members or at a special meeting of the members held in place of such annual meeting, and until his successor is chosen and qualified.

A Director may be removed from office for misfeasance, malfeasance, or nonfeasance in office at any meeting of the members called for the purpose.

Section 4. Resignation. Resignation of directors or officers shall be in writing. Resignation of Directors shall take effect at the time specified, and unless otherwise specified, the acceptance of a resignation shall not be necessary to make it effective. The resignation of other officers shall take effect upon acceptance by the Board of Directors.

Section 5. Removal of Directors and Officers. A Director may be removed from office by a vote of the members at a meeting specially called for the purpose. A majority vote of all members having the right to vote and in the same manner as in an election of Directors. Officers may be removed by a majority vote of the Board of Directors only for just cause shown.

ARTICLE VI
POWERS OF DIRECTORS.

Section 1. Powers. The Board of Directors shall have and may exercise all of the powers of the Corporation except as are reserved to the members by law, the Articles of Organization or these By-Laws. The Board of Directors shall have the entire management and control of the property, businesses and affairs of the Corporation itself, so far as this delegation of authority is not inconsistent with the law.

Without limiting the foregoing, it is provided that, subject to the Articles of Organization and By-Laws, the Board of Directors shall have the power to fix and alter the powers, duties and compensation of the several officers and agents of the Corporation; shall have the power to create such additional officers and agents as they may deem necessary or proper and define the duties thereof; shall have the power to require the giving of bonds to the Corporation in an amount or amounts and with surety or sureties satisfactory to the Board of Directors for the faithful performance of duties by any officer or employee; shall have the power, on behalf of the Corporation, to acquire or dispose of property, but in no event shall have the power to acquire or dispose of real property except as provided herein; shall have the power to enter into contracts, to borrow money and otherwise incur indebtedness, but shall in no event place or allow to be placed a mortgage, lien or other encumbrance against the real property of the Corporation; and to appoint any and all committees, with powers and duties, for such term and under such conditions as the Board may, from time to time, determine and approve.

The Directors are specifically authorized and empowered, in furtherance of the objectives and purposes of this Corporation, as in the Articles of Organization contained or referred to and without further action of members, to accept for, in the name and on behalf of the Corporation such deeds, as may be delivered to it, covering the fee in and to all of the roads, parks, walkways, open or easement areas and to other lands or interest therein and forming a part or parcel of the Development hereinbefore referred to, which deeds shall, as soon as practicable, be recorded with the Plymouth County Registry of Deeds by or at the order of the Board of Directors.

The Directors shall not receive any compensation for their services as directors, except that they may be paid for their reasonable expenses incurred on behalf of the Corporation. Nothing herein contained shall preclude any director from serving the Corporation in any other capacity (as officer, agent, or otherwise).

Section 2. Indemnity of Directors and Officers. The Corporation shall indemnify any and all of its Directors or Officers, or former directors or officers, against expenses actually and necessarily incurred by them in connection with the defense of any action, suit or proceeding in which

they, or any of them, are made parties, by reason of being or having been directors or officers of the Corporation, except in relation to matters as to which any such director or officer or person shall be adjudged in such action, suit or proceeding to be liable for negligence or misconduct in the performance of duty. Such indemnification shall not be deemed exclusive of any rights to which those indemnified may be entitled, under the Articles of Organization, any by-law, agreement, vote or members, or otherwise.

Section 3. Contracting by Directors and Officers. In the absence of fraud or undue taking advantage, no contract or other transaction between this corporation and any other Corporation or any partnership or association shall be affected or invalidated by reason of the fact that a director or officer of this Corporation is pecuniarily or otherwise interested in, or is a director, member or officer of such other Corporation or of such firm, association or partnership or Corporation pecuniarily or otherwise interested therein; any director may be included in the determination of the existence of a quorum at any meeting of the Board of Directors of this Corporation for the purpose of authorizing any such contract or transaction with like force and effect as if he were not so interested, or were not a director, member or officer of such other Corporation, firm, association or partnership.

ARTICLE VII

POWERS AND DUTIES OF OFFICERS.

Section 1. Powers of Officers. Each officer shall have, in addition to the duties and powers provided by these By-Laws, such duties and powers as are commonly incident to his office and such duties and powers as the Board of Directors shall from time to time designate.

Section 2. President and Vice-Presidents. The President shall be the principal executive officer of the Corporation, and, subject to the control of the Board of Directors, shall have general charge and management of the business affairs and property of the Corporation. He shall preside at all meetings of the members and Board of Directors at which he is present. He shall present to the members at their Annual Meeting an accurate and complete report of the transactions and operations of the Corporation for the preceding fiscal year, and he shall, from time to time, report to the directors all matters within his knowledge, which may, in any way, affect the interests of the Corporation.

The Vice-President if any, may perform the duties and shall have the powers of the President during the absence or disability of the President, unless the authority of such Vice-President shall be expressly increased or limited by the Board of Directors. In the absence or disability

of both the President and Vice-President(s), the senior director, in time of service, shall, unless the directors choose or appoint an Acting President, exercise all of the powers of President while such absence or disability continues.

Section 3: Treasurer and Assistant Treasurers. The Treasurer shall, subject to such regulations as the Board of Directors may, from time to time, adopt, have supervision over the financial concerns of the Corporation and the care and the custody of the moneys, funds, receipts, disbursements, securities and valuable papers or documents of the Corporation, except his own bond, if any, and except as herein otherwise provided. He shall have power to endorse for deposit or collection, all notes, checks, and drafts, payable to the Corporation, in any such depositories as the Board of Directors shall, from time to time, determine, and to accept, execute and deliver notes, checks and drafts for and on behalf of the Corporation. He shall keep, or cause to be kept, accurate books of account relating to the monies and financial condition of the Corporation and of all his transactions as Treasurer to the President or to the Board of Directors whenever required, and shall make and submit a like report for the last fiscal year at the Annual Meeting of the members. He may be required to give bond for the faithful performance of his duties in such sum and with such sureties as the Board of Directors may prescribe.

The Assistant Treasurer, if any, may perform the duties and shall have the powers of the Treasurer, during the absence or disability of the Treasurer, and such additional powers or duties as may be assigned to him by the Treasurer, unless the authority of such Assistant Treasurer shall be expressly increased or limited by the Board of Directors.

Section 4. Clerk and Assistant Clerks. The Clerk shall attend, and keep the records of, all meetings of the members and of the Board of Directors, in books kept at the principal place of the Corporation, which books shall be open to the inspection of any member or director at reasonable times. He shall be a resident of the Commonwealth of Massachusetts. He shall call meetings of the members and of the Board of Directors at the times and in the manner hereinafter provided. The Clerk shall be sworn each year to the faithful discharge of his duties and a record of his oath shall be made by him upon the records of the Corporation. In his absence and in the absence of an Assistant Clerk, if there is one, a temporary Clerk shall be appointed at any meeting to record the proceedings thereof, and said temporary Clerk shall be sworn to the faithful performance of his duties.

The Assistant Clerk, if any, may perform the duties and have the powers of the Clerk during the absence or disability of the Clerk unless the authority of the Assistant Clerk shall be expressly limited by the Board of Directors, and shall have the same power as the Clerk to give notices of meetings of the members and directors.

ARTICLE VIII

MEMBERS' MEETINGS

Section 1. Place. All meetings of the members shall be held in the Commonwealth of Massachusetts, either at the principal office of the Corporation or at such other place as is stated in the notice of meeting.

Section 2. Annual Meeting. The annual meeting of the members shall be held at the principal office of the Corporation, or at such other place within the Commonwealth as may be designated in the Notice or Waiver of Notice of such meeting, on the second Tuesday in December in each year, beginning with 2002 at such time as is set forth in said notice, if it be not a legal holiday, and if it be, then at the same hour on the next succeeding Tuesday which is not a legal holiday, to nominate and elect the Board of Directors; to hear the report of the Treasurer, and to transact such other business as may properly come before the meeting. If the annual meeting is not held as above appointed, a special meeting to be called as hereinafter provided, may be held in lieu of the annual meeting and all business transacted and elections held at such meeting, shall be as valid as if transacted or held at the annual meeting.

Section 3. Special Meetings. Special Meetings of the Members may be called at any time by the President or the Treasurer, or by a majority of the Directors; and shall be called by the Clerk, upon written application of not less than Twenty (20) members in good standing, stating the date, place, hour and purpose of the meeting.

Section 4. Notice of Meeting. Written or printed notice of any special meeting of the members shall be given by the Clerk at least ten (10) days before the meeting, to each registered member in good standing by leaving such notice with him at his residence or usual place of business, or by mailing it postage prepaid and addressed to such member at his address as it appears on the books of the Corporation. Written or printed notice of any annual meeting of the members shall be given by the Clerk, at least forty-five (45) days before the meeting, to each registered member in good standing by mailing it postage prepaid and addressed to such member at his address as it appears on the books of the Corporation. All notices of meetings, annual or special, shall state the place, day and hour of the meeting and purpose for which it is called, and shall contain an agenda of business and clearly and specifically state the business to be transacted at such meeting. No notice of the time, place or purpose of any regular or special meeting shall be required if every member entitled to notice thereof, who is not present at the meeting, or his attorney thereunto authorized, by a writing, which is filed with the records of the meeting, waives such notice. In case of death, absence, incapacity or refusal of the

Clerk, such notice may be sent out by any other officer of the Corporation.

Section 5. Quorum. At any meeting of the members a quorum shall be comprised of a majority of all members in good standing either present in person or by proxy mail ballots, as hereinafter provided, but in no event less than twenty members in good standing present in person, but a lesser number may by majority vote, adjourn any meeting from time to time, and the meeting may be held as adjourned upon notice by the Clerk mailed to each member at least forty-eight (48) hours before the time of such adjourned meeting, which notice shall set forth the fact of and the time, date and place of such adjourned meeting. At any adjourned meeting, at which a quorum may be present, any business may be transacted which might have been transacted at the meeting as originally called. When a Quorum is present at any meeting, the vote of at least a majority of those present and entitled to vote shall be necessary to decide any question or to pass on any matter brought before such meeting.

Section 6. Proxy and Mail Ballots. Due to the nature of the Corporation and the anticipated difficulty in establishing a quorum of the members there shall be proxy mail ballots. The clerk shall not later than forty-five (45) days prior to the annual meeting or any meeting for election of a Board of Directors, and ten (10) days prior to a special meeting, shall mail to each member in good standing, postage prepaid and addressed to such member at his address as it appears on the books of the Corporation, a ballot in such form as the directors may prescribe, which ballot shall contain the slate of officers of the nominating committee, other nominations received in accordance with Article 5, Section 2 hereof and such questions and articles upon which the members at the meeting may be called to vote. Each item on the ballot shall be in the form of a question to be answered yes or no. The proxy ballot shall clearly state that failure to return the ballot to the offices of the Corporation on or before the date and hour of the meeting for which it was mailed, unless the member attends the meeting in person or by his attorney in-fact, shall constitute a proxy to the President of the Corporation to vote the slate of directors of the nominating committee and to vote in the affirmative on each item on the ballot.

Section 7: Placing Questions on the Ballot. Any question may be placed on a ballot for action by the Members at regular, annual or special meetings by a notice in writing, signed by not less than fifty (50) Members entitled to vote setting forth the item to be voted in the form of a question to be answered yes or no. Such question shall be filed with the Clerk no later than sixty (60) days prior to regular and annual meetings and filed with the President, Treasurer, or Board of Directors no later than ninety (90) days prior to regular and annual meetings. Questions to be placed on

the ballot for special meetings shall be filed with the Clerk no later than twenty-five (25) days prior to such meeting.

ARTICLE IX
DIRECTORS' MEETINGS.

Section 1. Regular Meetings of Directors. A regular meeting of the Board of Directors, at which statutory officers may be elected, shall be held each year, without call or formal notice, immediately after and at the same place as and at which the annual meeting of the members in lieu of any annual meetings, may be held.

Section 2. Special Meetings. The President or Treasurer shall have the power to call a special meeting of the Board of Directors, whenever, in his opinion, the interests of the corporation so require. Meetings shall be called by the Clerk upon request of a majority of the directors then in office.

Section 3. Further Provisions as to Meetings. Meetings of the Board of Directors may be held within or without the Commonwealth of Massachusetts, and, except as herein otherwise provided, at such times and places as may be specified in the notice of the meeting. Any business whatsoever may be transacted at a meeting of the Board of Directors, although it may not have been specified in the notice of meeting.

Section 4. Notice of Meeting. Reasonable notice of any special meeting of the Board of Directors shall be given to each director by the Clerk, or, in the case of death, absence or incapacity or refusal of the clerk by any officer or director. Notice of regular meetings shall be given each Director by telephone, mail, fax or e-mail at least 3 business days prior to the day named for such meeting. Any meeting of the Board shall be legal without call or notice thereof provided all of the directors are present or waive notice thereof by a writing filed with the records of the meeting.

Section 5. Quorum. A majority of the number of directors holding office shall constitute a quorum for the transaction of business, but a lesser number may adjourn any meeting from time to time and the meeting may be held as adjourned without further notice. At all meetings of the Board of Directors, an affirmative vote of a majority of the number of the directors of the corporation holding office shall be necessary to pass any motion, except a vote to adjourn when no quorum is present as hereinbefore provided.

ARTICLE X

AMENDMENT TO BY-LAWS:

The By-Laws, or any of them, may be altered, amended, added to or repealed by the affirmative vote of a two-thirds (2/3rds) of all members in good standing at any annual or special meeting of the members provided notice of the proposed alternatives, amendment or repeal is given in the call of the meeting.

ARTICLE XI

AMENDMENT TO COMMON SCHEME OF PROTECTIVE RESTRICTIONS & EASEMENTS

The Common Scheme of Protective Restrictions and Easements, or any of them, may be altered, amended, added to or repealed by the affirmative vote of a two thirds (2/3rds) of all members in good standing at any annual or special meeting of the members provided notice of the proposed alternatives, amendment or repeal is given in the call of the meeting.
(Approved & added 8-29-76)

ARTICLE XII

MISCELLANEOUS

Section 1: Any notices hereunder from a member regarding a violation of the Bylaws shall be sent by registered or certified mail return receipt requested to the Board of Directors, to the office of the Board of Directors, or to such other address as the Board of Directors may hereafter designate from time to time by notice in writing to all Members. All notices to any Member regarding a violation of the Bylaws shall be delivered in hand or shall be sent by registered or certified mail return receipt requested to the Member's address, or to such other address as may have been designated by the Member from time to time, in writing, to the Board of Directors. All other notices shall be sent by first class mail, addressed and postage prepaid. All notices shall be deemed to have been given when so mailed, except notices of change of address, which shall be deemed to have been given when received.

Section 2: The invalidity of any part of these Bylaws shall not impair or affect in any manner the validity, enforceability or effect of the balance of these Bylaws.

Section 3: The use of the masculine gender in these Bylaws shall be deemed to include the feminine or neuter gender, and the use of the singular shall be deemed to include the plural, whenever the context or circumstances so require.

Section 4: No restriction, condition, obligation or provision contained in these Bylaws shall be deemed to have been abrogated or waived by reason of any failure to enforce the same, irrespective of the number of violations or breaches thereof, which may occur.

Section 5: The term "Member entitled to vote" as referred to in these Bylaws shall be applicable only to such Members as have complied with all terms and conditions hereof, who are not in arrears in any payments required hereunder. Additionally, such Member must not be in violation of the terms, conditions, covenants or restrictions set forth or referred to in the deed covering lots in this development or in the 1978 Amended Declaration of Easements and Protective Restrictions, as from time to time amended.

ARTICLE XIII OPERATION

Section 1: The fiscal year of the Corporation shall be from January 1 to December 31. The dues for the Corporation applicable in each fiscal year shall be set as follows:

The annual dues, including an amount to be applied to the general annual assessment, shall be \$100.00 per year (base year 1991) plus a cumulative increment of 5% per year (rounded up to the next whole dollar), which amount is deemed to be the minimum necessary to cover all assessments legally due and payable including, but not limited to, taxes, water, electricity, or other utilities or municipal charge, insurance premiums on all policies of insurance obtained by the Board of Directors pursuant to Article V, Section 3, legal, accounting, mailing and other office expenses. Any amounts remaining, to be applied to the operation, maintenance, and improvement of the common areas, or set aside as a reserve fund for repairs, maintenance, or other unforeseen expenses which may become payable by the Corporation in the future.

Section 2: Special assessments may be levied by the Board of Directors on the Members if such becomes necessary by reason of extraordinary circumstances, including but not limited to, damage to roads or repair to common property made necessary by acts of nature, unusual wear and tear not compensable by insurance or other recovery, legal fees, court costs, or municipal or other assessments legally payable and binding upon the Corporation and its Members. Such assessments to be determined at a regular or special meeting of the Members called for the purpose of reviewing the proposed assessments and determining the allowance thereof.

Section 3: The Board of Directors shall obtain and maintain, to the extent obtainable:

(a) Public liability insurance in such limits as the Board of Directors may, from time to time, determine, covering the Corporation, the Board of Directors, and each Member with respect to liability arising out of ownership of Corporation property, including common areas and facilities, such insurance to provide for cross-claims by the co-insured's;

(b) Workmen's compensation insurance, if applicable;

(c) Insurance on behalf of a Director or Officer against any liability incurred by him in any such capacity, or arising out of his status as such; and

(d) Such other insurance as the Board of Directors may determine.

Section 4: In the event of damage to or destruction of Corporation property as a result of fire or other casualty, the Board of Directors shall promptly adjust the loss, arrange for the prompt repair or restoration of the same, and disburse the proceeds of all insurance policies in payment of all costs and expenses actually incurred in connection with such repair or restoration in appropriate progress payments and with appropriate retainage. All insurance proceeds paid to the Board of Directors as trustees on account of any casualty shall be dedicated solely to the repair or restoration of the loss, and any application of said proceeds by the Board of Directors on account thereof, shall be prior to the application of such proceeds for any other purposes.

In the event that the total cost of repair or restoration, as estimated on the basis of an independent appraisal, or as determined during the course of repair or restoration exceeds the total sum of available insurance proceeds, the Board of Directors shall levy a charge on all members, as a common expense, the amount estimated to repair or restore the Corporation property in excess of the insurance proceeds available therefor.

The Board of Directors may perform emergency work essential to the preservation and safety of the Corporation property or the safety of persons, or required to avoid the suspension of any essential service to the Corporation property without having first adjusted the loss or obtained the proceeds of insurance. If such emergency work is done and the amount of insurance proceeds shall have exceeded the cost of such repair or restoration, then the excess of such insurance proceeds, if any, shall be added to the Corporation's reserve fund.

Section 5: All Members shall be obligated to pay the common charges as determined in accordance with Article V, Section 1, of these Bylaws, at such time or times as the Board of Directors shall determine.

Section 6: The Board of Directors shall take prompt action to collect any common charges or special assessments due from any Member, which remain unpaid for more than thirty (30) days from the date due for payment thereof.

Section 7: In the event of default by any Member in paying to the Corporation the common charges or special assessment as determined by the Board of Directors, such Member shall be obligated to pay a late charge as determined by the Board of Directors, and/or interests equal to the then applicable maximum legal rate of interest, but not in excess of eighteen percent (18%) per annum of the balance due on such common charges from the due date thereof, together with all expenses, including attorneys' fees, incurred by the Board of Directors in any proceeding brought to collect such unpaid common charges. All such unpaid common charges shall constitute a lien to the extent provided by law. The Board of Directors shall have the right and duty to attempt to recover such common charges, together with interest thereon, and the expenses of the proceedings, including attorneys' fees, in an action to recover the same brought against such Member, or by foreclosure of the lien on such Member's lot(s) as provided by law.

Section 8: The violation of any rule or regulation adopted by the Board of Directors or the breach of these Bylaws, shall give the Board of Directors the right, in addition to any other rights set forth in these Bylaws to enjoin, abate or remedy by appropriate legal proceedings, either at law or in equity, the continuance of any such breach.

Section 9: All unusual, extraordinary or unforeseen maintenance, repairs and replacements to the common areas and facilities shall be made by the Board of Directors and shall be charged to all Members as a common expense, or as a special assessment under Article V, Section 2, if necessary.

Section 10: Rules and regulations concerning the use of common areas and facilities may be promulgated and amended by the Board of Directors. Copies of such rules and regulations shall be furnished by the Board of Directors to each Member prior to the time when the same shall become effective.

ARTICLE XIV CONDEMNATION

Section 1: In the event of a taking in condemnation or by eminent domain of part or all of the common areas and facilities, the award made for such taking shall be payable to the Board of Directors. If two thirds (2/3rds) or

more of the Members entitled to vote at a meeting of Members called for that purpose duly approve, such award funds shall be either (1) promptly applied to the repair and restoration of common areas and facilities, or (2) retained for the future repair and restoration of common areas and facilities as necessary. Upon the foregoing action of said meeting of the Members, the Board of Directors shall arrange for the repair and restoration of such common areas and facilities, or establish the appropriate reserve account for the Corporation. The Board of Directors shall have sole and exclusive authority to disburse the proceeds of such award to the contractors engaged in such repair and restoration in appropriate progress payments. In the event that such approvals and consents are not obtained within ninety (90) days of the award, then the Board of Directors shall, to the extent permitted by law, disburse the net proceeds of such award in equal amounts to each Member.

ARTICLE XV RECORDS

Section 1: The Board of Directors shall keep or cause to be kept detailed records of the actions of the Board of Directors, minutes of the meetings of the Board of Directors, minutes of the meetings of Members, and financial records and books of account of the Corporation, including a chronological listing of receipts and expenditures, as well as a separate account for each Member which, among other things, shall contain the amount of each assessment of common charges against each such Member, the date when due, the amount paid thereon, and the balance remaining unpaid.

ARTICLE XVI Amendment to 1978 Amended Declaration of Easements and Protective Restrictions

The Corporation (1) may act by a two-thirds (2/3rds) vote of the Members to alter, amend, or repeal the 1969 Common Scheme of Protective Restrictions and Easements, as it may be amended from time to time, including but not limited to the 1978 Amended Declaration of Easements and Protective Restrictions, as it may be amended from time to time, and (2) may act to alter, amend, or repeal the 1978 Amended Declaration of Easements and Protective Restrictions, as it may be amended from time to time, only by the vote stipulated in that instrument or applicable amendment thereto.

ARTICLE XVII
Conduct of Meetings

All meetings shall be guided by the most recent edition of Roberts Rules of Order, subject to the Articles of Incorporation, these Bylaws, and established practice, all as may be determined in the sole discretion of the President or Chairman, as applicable.

ARTICLE XVIII
Audit

The Board of Directors shall require that an internal audit of the Corporation's fiscal affairs be conducted at least annually; a formal audit may be requested by a majority vote of the Directors at any time.

ADOPTED by the Corporation pursuant to lawful action under the Articles of Organization and the previous Bylaws, this day of

ATTEST:

Adrian Lombardo, Clerk

ARTICLES OF ORGANIZATION

1. The name of which the corporation shall be known is Ocean-Aire Home Owners Association, Inc.
2. The purposes for which the corporation is formed are as follows: To promote and develop the civic and physical aspects of the development known as Ocean-Aire at Plymouth off of State Highway Route 3A in the Town of Plymouth, Massachusetts; to further the recreation and enjoyment of its inhabitants; to promote and maintain all lots and ways throughout said development, all community beach, park, parking, recreation and drainage areas, walk-ways and passage-ways as may, in said development be acquired by this Association; to acquire, own, develop and maintain personal property and real property or rights and easements thereon or related thereto for all purposes deemed beneficial or incidental to the welfare of this Association and to perform any and all other acts for the enjoyment by the inhabitants of said Ocean-Aire at Plymouth development of all of the community areas, above referred to, within the lands in said Plymouth, more particularly set out on Land Court Plan Nos. 11398G filed with Certificate of Title Nos. 3538 and 43381 respectively with the Registry District of Plymouth County; and Ocean-Aire Home-Owners Association, Inc; to further any other activity which may be deemed beneficial and which may be conferred directly or indirectly for the foregoing purposes by said Chapter 180, in further connection with which, the corporation may exercise and all other corporate powers permitted under Section 5 of Chapter 180 of the General Laws (Ter.Ed.) of the Commonwealth of Massachusetts, including (without limitation) all of the powers specified in Section 9 of Chapter 156B of said General Laws, excepting for subparagraph (in) thereof, but these purposes shall not include the right to apply for a license to sell alcoholic beverages.
3. Other lawful provisions, if any, for the conduct and regulation of the

business and affairs of the corporation, for its voluntary dissolution, or for limiting, defining, or regulating the powers of the corporation, or of its directors or members, or of any class of members, are as follows: All Directors, officers, employees and other agents of the Association, shall be indemnified by the corporation against any expenses incurred by them in defending a civil or criminal action or proceeding in advance of the final disposition of such action or proceeding upon receipt of an undertaking by the person indemnified to repay such payment as he shall be adjudicated to be not entitled to indemnification hereunder. Any such indemnification shall be effective even if the person to be indemnified is no longer a Director, officer, employee or agent of the Association. No indemnification shall, however, be provided for any person with respect to any matter as to which he shall have been adjudicated in any proceeding not to have acted in good faith in the reasonable belief that his actions were in the best interests of the Association. The Association shall have the power to purchase and maintain insurance on behalf of any person who is or was a Director, Officer, employee or other agent of another Association against any liability incurred by him in such capacity, or arising out of his status as such, whether or not the Association would have the power to indemnify him against such liability.

COMMON SCHEME OF PROTECTIVE RESTRICTIONS
AND EASEMENTS
RELATIVE TO LOTS AT OCEAN-AIRE AT PLYMOUTH

- (1) No Building shall be erected, placed, or permitted to be on any lot other than one single-family dwelling house, except that together with said dwelling house there may be erected and maintained not more than one attached or detached garage designed to house not more than two (2) private motor vehicles
- (2) No business, trade, or mercantile enterprise of any kind or nature whatsoever shall be conducted or carried on upon any lot without the expressed written approval of the Board of Directors.
- (3) No trailer, basement, tent, shack, garage, barn, or other outbuilding shall at any time be used either temporarily or permanently as a residence.
- (4) No animals except common household pets shall be kept on any lot.
- (5) In order to promote harmony of design, plans and sketches of the exterior designs of all buildings to be erected on any lot, and of the location and type of utilities to serve the same, and of the location of any driveways, shall be submitted to the Trustees of North Atlantic Company for approval in writing before the same shall be erected or constructed. Such written approval may be given by any person authorized for the time being to execute deeds of conveyance for any on behalf of North Atlantic Company. North Atlantic Company may designate one or more successors for the purpose of giving such approval, either with or without full power of substitution. Such approval shall not unreasonably be withheld. If at any time there shall be no person or other entity having the power to give such approval, the Judge of the Plymouth County Probate Court shall have the power, acting in a ministerial capacity, upon the petition of any person interested, to appoint a person or persons with full authority to act in the premises, and such power of appointment shall not

be exhausted by one or more exercises thereof.

- (6) No dwelling house on any lot shall have a ground- floor area of less than seven hundred sixty-eight (768) square feet.
- (7) On street parking will only be allowed in front of the homeowners lot so far as such activity does not impede the flow of traffic or obstruct passage for emergency vehicles or snowplows. Parking is not allowed on any greenbelt areas. Unregistered motorized vehicles are not allowed on the streets of the Association. Any such violation will result in the authorities being notified and the vehicle being towed at the owners expense. The Association will not be responsible for damages or losses incurred as a result of said towing.
- (8) No suit or other proceeding to enforce paragraph (5) or paragraph (6) shall be brought concerning any erection or construction which shall have been completed for more than one year.
- (9) All exterior construction work on buildings shall be completed within six months from the date of commencement.
- (10) All buildings erected or placed on any lot shall comply with the following minimum setbacks:
 - From front street line, not less than twenty-five (25) feet;
 - From side street line, not less than twenty (20) feet;
 - From other side lines, not less than ten (10) feet;
 - From rear line, not less than ten (10) feet.Two or more lots may be combined and used as one lot for purposes of this restriction, but the same shall not thereafter be placed in separate ownerships if such separation would result in a violation of this restriction.
- (11) No sign advertising a lot or any other lot for sale shall be placed or permitted to be on any lot without the written permission of a duly authorized agent of North Atlantic Company. The operation of this provision may be terminated by any person authorized for the time being to give approvals pursuant to paragraph (5) by an instrument in writing.
- (12) Owners of lots, whether occupied or unoccupied, shall at all times keep and maintain the same and buildings thereon in an orderly manner and shall not suffer the accumulation of rubbish and debris thereon which shall be visible from any street or from any other lot.

- (13) No structure shall be erected or placed on any lot without the prior issuance of the required permits by the municipal officer(s) thereto authorized, and the same shall conform to all applicable standards (municipal and/or state) pertaining to zoning, sanitary facilities, plumbing, wiring, and construction.
- (14) For the purpose of defraying the costs of labor, materials, and administration required for the maintenance and improvement of the areas shown on said plan, including the streets and the recreational and park areas to be developed for the owners of the lots shown thereon, owners subsequent to North Atlantic Company, as of the first day of January in each year shall, on the first day of January in each year (commencing on the first day of April 1970), pay on account of each lot owned the sum to be determined annually by the Board of Directors to North Atlantic Company, or its designated successors for the purpose, as the case may be. Such charge, together with interest and costs relative thereto, may be collected by any legal means from the person or persons primarily liable as provided hereinabove or, if permitted by law, from any subsequent owner or owners. In any case where two adjoining lots are occupied by a single dwelling house pursuant to approval given in accordance with paragraph (5), such two lots shall be deemed for purposes of this paragraph to be one lot.
- (15) Easements in gross, assignable in whole or in part, for the construction and maintenance of public utilities and drainage facilities are hereby RESERVED along and within twelve (12) feet of all front lot lines, and within ten (10) feet of all side and rear lot lines, and said easements shall include the right to enter upon any lot within such reserved areas whenever it may reasonably be necessary or convenient to construct, operate, maintain, repair, or replace pipes, conduits, poles, wires, or similar facilities whether above ground or under ground, and to build or maintain drainage facilities. In the case of common ownership of adjoining lots, the owner may construct a building without regard to the easements along the common boundary lines of lots if the construction of such building is commenced prior to the use of the easement for any of the purposes herein provided.
- (16) These provisions shall run with the land and, subject to the exercise of the method set forth hereinabove for their amendment or termination, shall be binding upon all grantees from North Atlantic Company, and upon their successors in title, until January 1, 2019, and provisions may be extended for four successive twenty year periods by an instrument or instruments complying with the applicable statutory provisions.
- (17) Invalidity of any of the foregoing provisions or parts thereof by

judgment, order, or decree of any court shall in no wise affect the validity or efficacy of any other such provisions or parts thereof.

- (18) Owners of said lots shall have the right to use the land shown as Lot Number Seventy (70) on Land Court Plan No. 11398B as a beach and recreation area, all in common with others who are or may be entitled thereto.

The Trustees of NORTH ATLANTIC COMPANY are the owners of certain lots of land situated in Plymouth, Plymouth County, Massachusetts, under Certificate of Title No. 43381 on file in Registration Book 216 Page 181, Registry District of Plymouth County, and for the common benefit of the various lots and of the various future owners thereof they hereby impose the following provisions (which shall be covenants running with the land) upon all of those numbered lots now owned by them which are shown on Land Court plans being subdivisions or re-subdivisions of LOT A & LOT B as shown on Land Court Plan No. 11398A, filed with Certificate of Title No. 2628 (being Land Court Plans No. 11398B, filed with Certificate of Title No. 3538; No. J.1398C, filed with Certificate of Title No. 4436; No. 11398D, filed with Certificate of Title No. 6705; and No. 11398E, filed with Certificate of Title No. 14007). Said provisions may be amended or terminated in whole or in part, and as to any one or more of said lots at any time and from time to time by the Trustees of NORTH ATLANTIC COMPANY or their successors, or by their agent(s) or subagent(s) duly designated for the purpose. Lot B Numbers being subdivisions of Definitive plans of "Ocean-Aire" filed with Certificate of Title #2628 as shown on Land Court Plan No 11398b

- (19) Owners of said lots shall have the right to use the land shown as Lot Numbers 69, 70, 71, 72, 382, 384, 385, 386, 387, and 388 together with his family and guests in common with others; and to a right and easement of enjoyment in and to the community areas, title remaining in North Atlantic Company until such time as seventy-five percent (75%) of all lots have been conveyed by North Atlantic Company at which time North Atlantic Company shall convey the heretofore mentioned community properties to Ocean-Aire Home Owners Association; Said Association to be made up of every person or entity who is a record owner of any lot, including North Atlantic Company.

- (20) Reference is made to Paragraph nine (9) of the Common Scheme of Protective restrictions and easements relative to lots at Ocean-Aire at Plymouth, Amend Paragraph (9) to read as herein; zoning requirements of the Town of Plymouth, or other governmental agency shall take precedence over any and all private restrictions imposed by North Atlantic Company, its successors or assigns, and insofar as any written set back measurements, lot side line set backs, side street set backs, front street set backs, way be written in a specific number of feet, the requirement

shall first conform to the Town Zoning code as it is or may be in the future. Zoning by-Law -Town of Plymouth - On all prior approved lots at Ocean-Aire. Such as the Ocean side section that has been sub-divided originally in 1926C Plus all lots sub-divided in the cluster zoning area on the Ocean side of Rt. 3A.

From front street line, not less than twenty-five (25) feet;
From other side lines, not less than fifteen (15) feet;
From rear line, not less than fifteen (15) feet.

- (21) Due to the restrictions imposed on the side line requirements of zoning within the original section lots numbered One (1) to One Hundred Seventy-Five (175) and One Hundred Ninety-Five (195) to Two Hundred Three (203) inclusive, Paragraph number (6) of the Common Scheme of Protective Restrictions and Easements shall be amended to read: "except within the sections numbered herein, Par. (20) a ground floor area of six hundred (600) square feet shall be permitted.
- (22) The Board of Directors, acting for Ocean-Aire Homeowners Association, Inc., successors to North Atlantic Properties, is empowered to grant approval to build a home on lots described in Paragraph number (6) not conforming to the square foot area (ground level), but having a larger living area spread over two floors above ground level and include provisions for grading and landscaping as deemed necessary by the Board of Directors. (Approved & added 8-29-76)

Witness the execution under seal of the Trustees of North Atlantic Company, under declaration of Trust Dated November 4, 1968, registered with the Registry District of Plymouth County on January 29, 1969.

Revised and approved by the Board of Directors June 18, 2002 as authorized by the Ocean-Aire Home Owners Association.

MAPS

**AS RECORDED IN THE LAND COURT DIVISION OF
PLYMOUTH COUNTY REGISTRY OF DEEDS**

LAND COURT CASE #11398

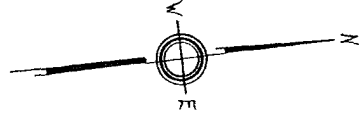
11398^L

SUBDIVISION PLAN OF LAND IN PLYMOUTH

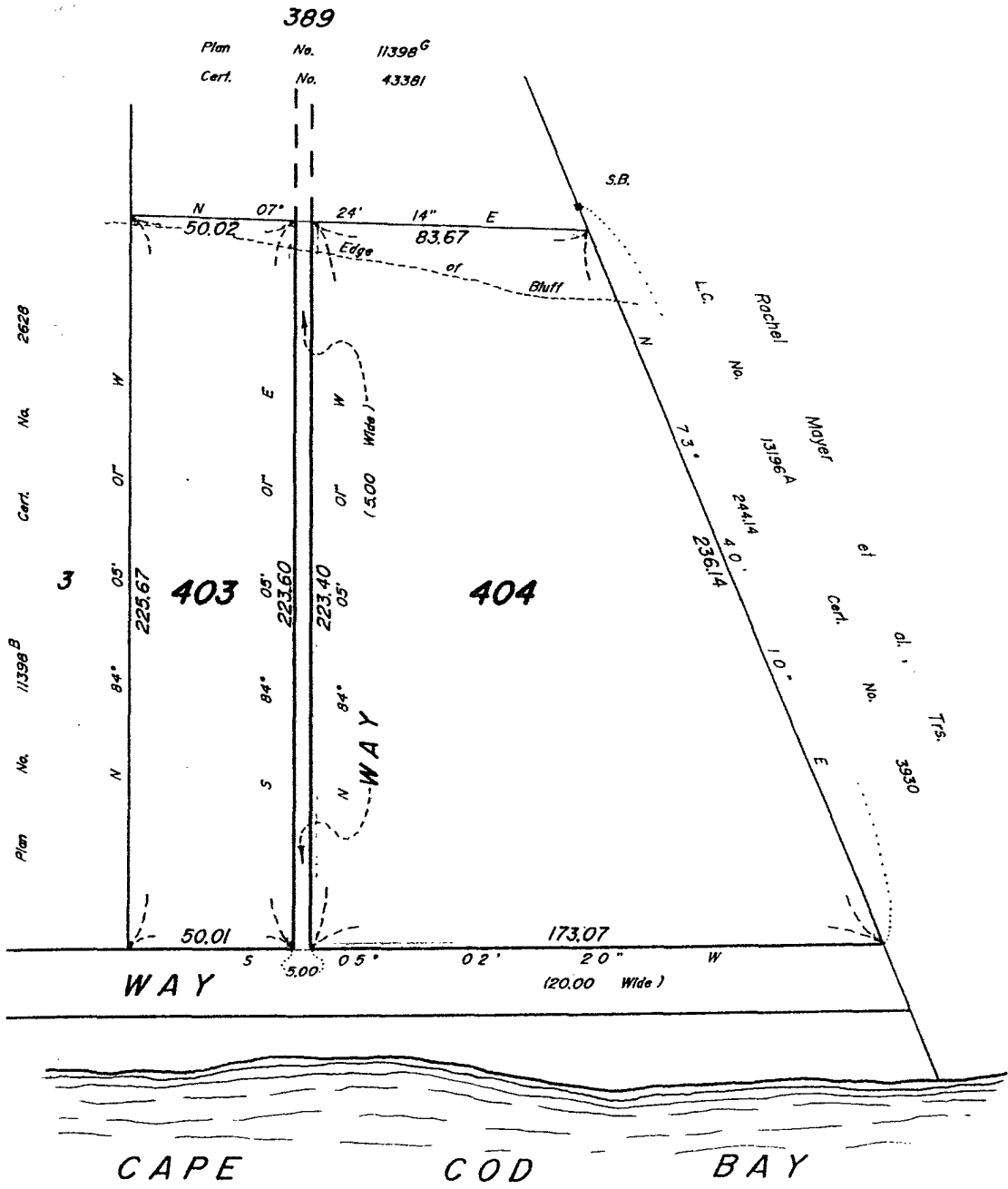
F. D. Dewsnap Engineering Assoc., Inc. , Surveyors

January 7 , 1992

THIS PLAN FILED WITH
CERTIFICATE NO. 3538



MAR 27 1992



Subdivision of Part of Lots 1 and 2
Shown on Plan 11398^B sheet 1
Filed with Cert. of Title No. 3538
Registry District of Plymouth County

Separate certificates of title may be issued for land
shown hereon as Lots 403 and 404
By the Court.

Charles Crowley
Recorder.

JAN. 13, 1992

Copy of part of plan
filed in
LAND REGISTRATION OFFICE
JAN. 13, 1992
Scale of this plan 40 feet to an inch
Louis A. Moore, Engineer for Court

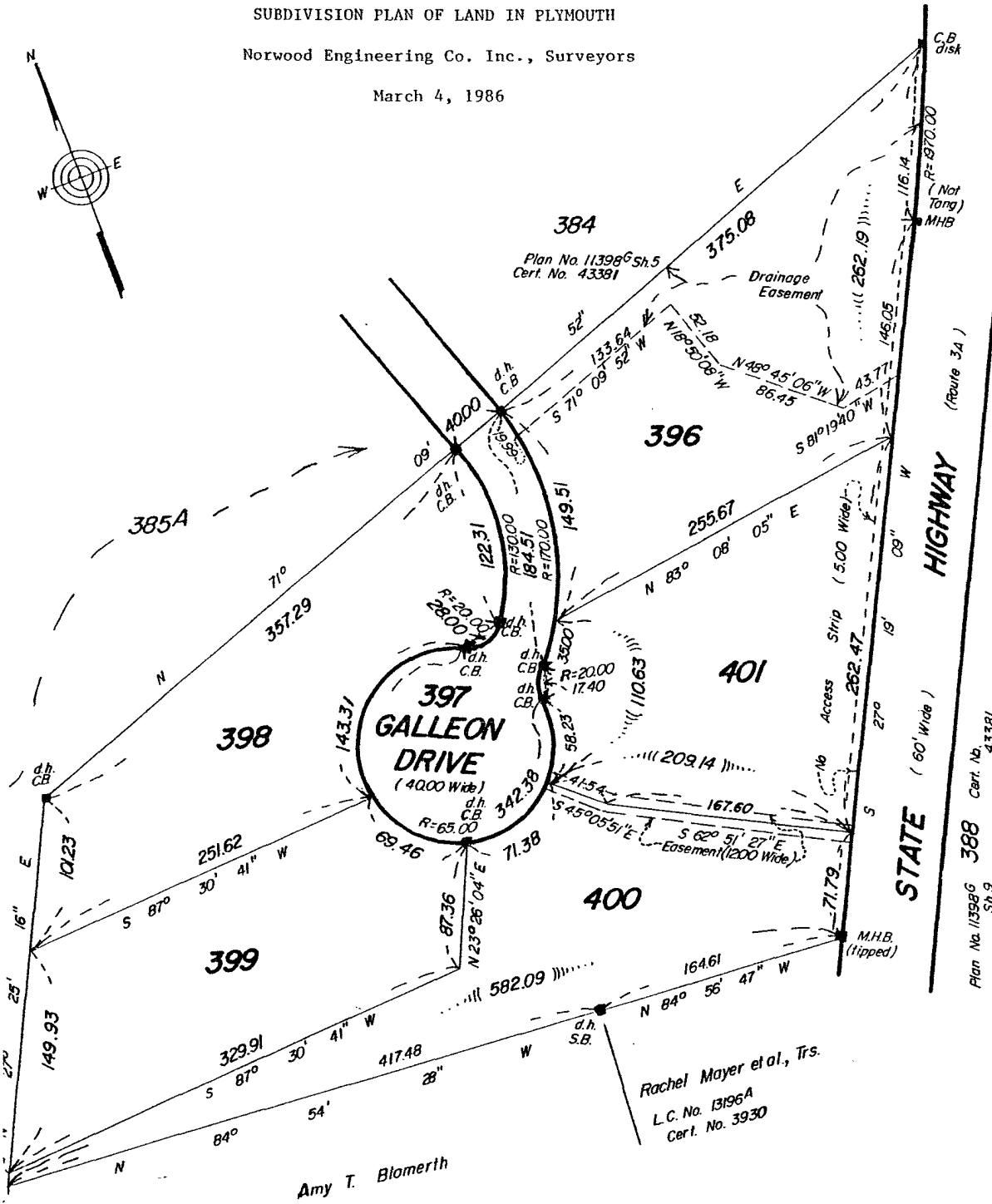
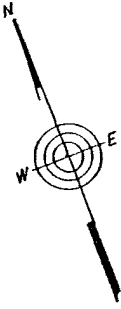
SJK

11398^K

SUBDIVISION PLAN OF LAND IN PLYMOUTH

Norwood Engineering Co. Inc., Surveyors

March 4, 1986



HIGHWAY (Route 3A)

STATE (60' Wide)

Plan No. 11398^G Sh. 9
388 Cert. No. 43381

Rachel Mayer et al., Trs.
L.C. No. 13196A
Cert. No. 3930

Amy T. Blomerth

THIS PLAN FILED WITH
CERTIFICATE NO. 71644

Subdivision of Lot 383
Shown on 11398^G sh. 10
Filed with Cert. of Title No. 43381
Registry District of Plymouth County

Separate certificates of title may be issued for land
shown hereon as Lots 396 thru 401
By the Court.

[Signature]
Recorder.

OCT 21, 1986
VJM

Abutters are shown as
on original decree plan.

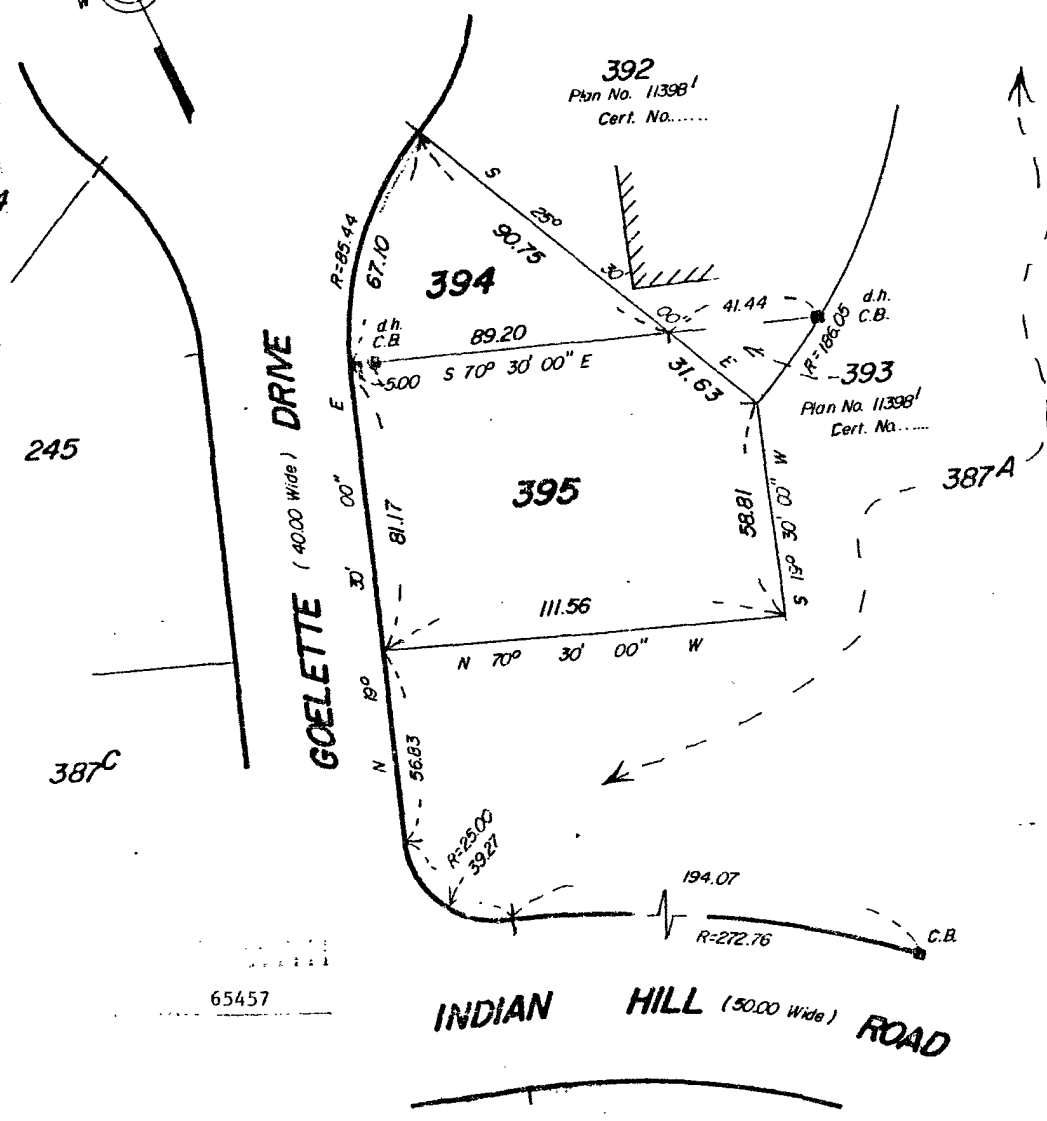
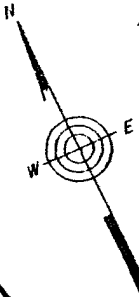
Copy of part of plan
filed in
LAND REGISTRATION OFFICE
OCTOBER 21, 1986
Scale of this plan 80 feet to an inch
Louis A. Moore, Engineer for Court

11398^U

SUBDIVISION PLAN OF LAND IN PLYMOUTH

Associated Engineering of Plymouth, Inc., Surveyors

May 29, 1986



1/2" = 100' 1/4" = 50'

Subdivision of Lot 222
Shown on Plan 11398^U sh.2
Filed with Cert. of Title No. 43381
Registry District of Plymouth County

Separate certificates of title may be issued for land
shown hereon as lots 394 & 395
By the Court.

[Handwritten Signature]
Recorder.

SEPT 11, 1986

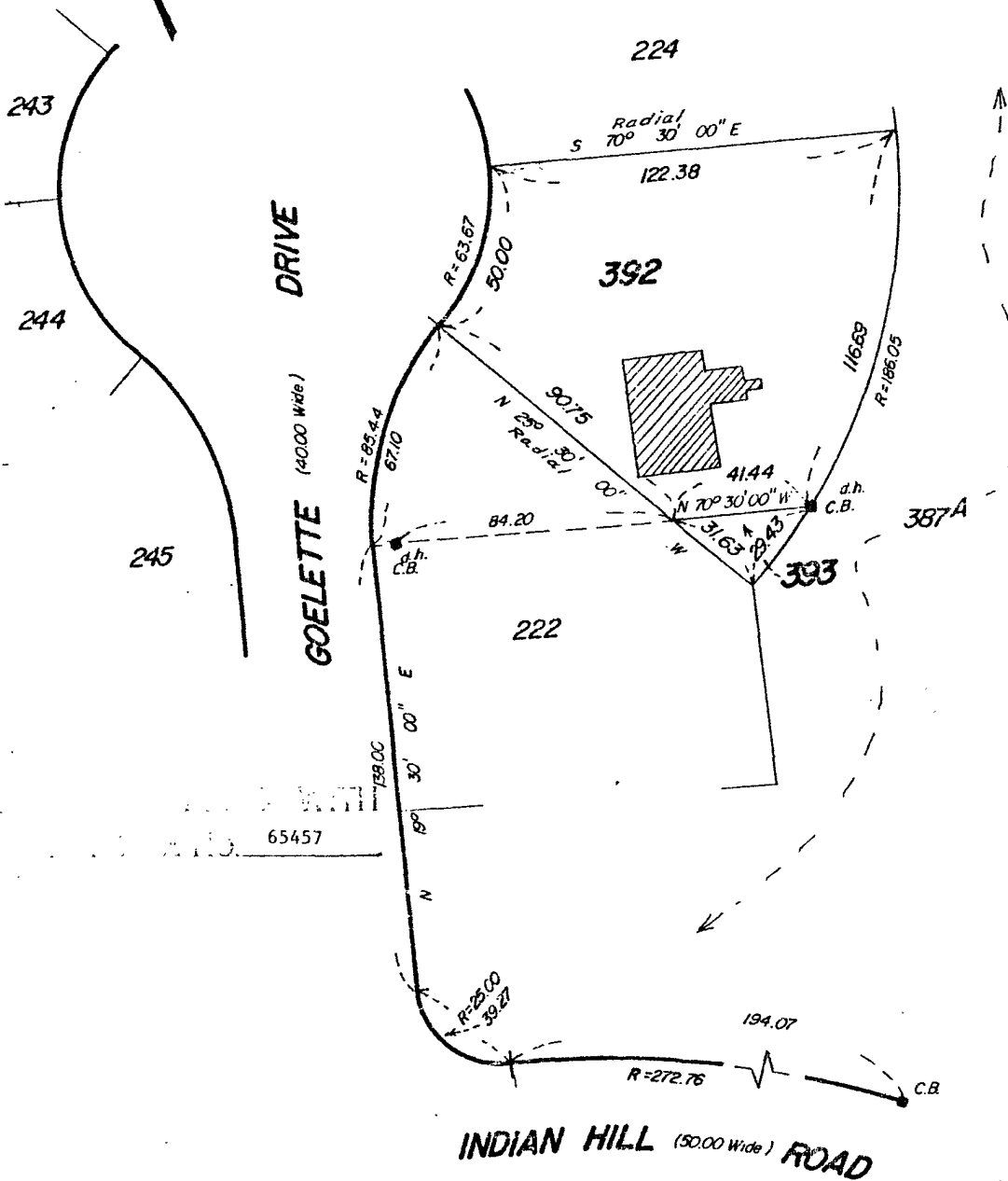
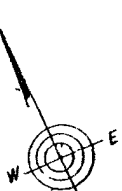
V.J.M.

Copy of part of plan 11398^U
filed in
LAND REGISTRATION OFFICE
SEPTEMBER 11, 1986
Scale of this plan 30 feet to an inch
Louis A. Moore, Engineer for Court

11398¹

SUBDIVISION PLAN OF LAND IN PLYMOUTH
Associated Engineers of Plymouth, Inc., Surveyors

May 29, 1986



Subdivision of Lot 223
Shown on Plan 11398⁶ sh.2
Filed with Cert. of Title No. 43381
Registry District of Plymouth County

Separate certificates of title may be issued for land
shown hereon as Lots 392 & 393
By the Court.

Arthur M. Moore
Recorder.

SEPT 11, 1986

V.M.

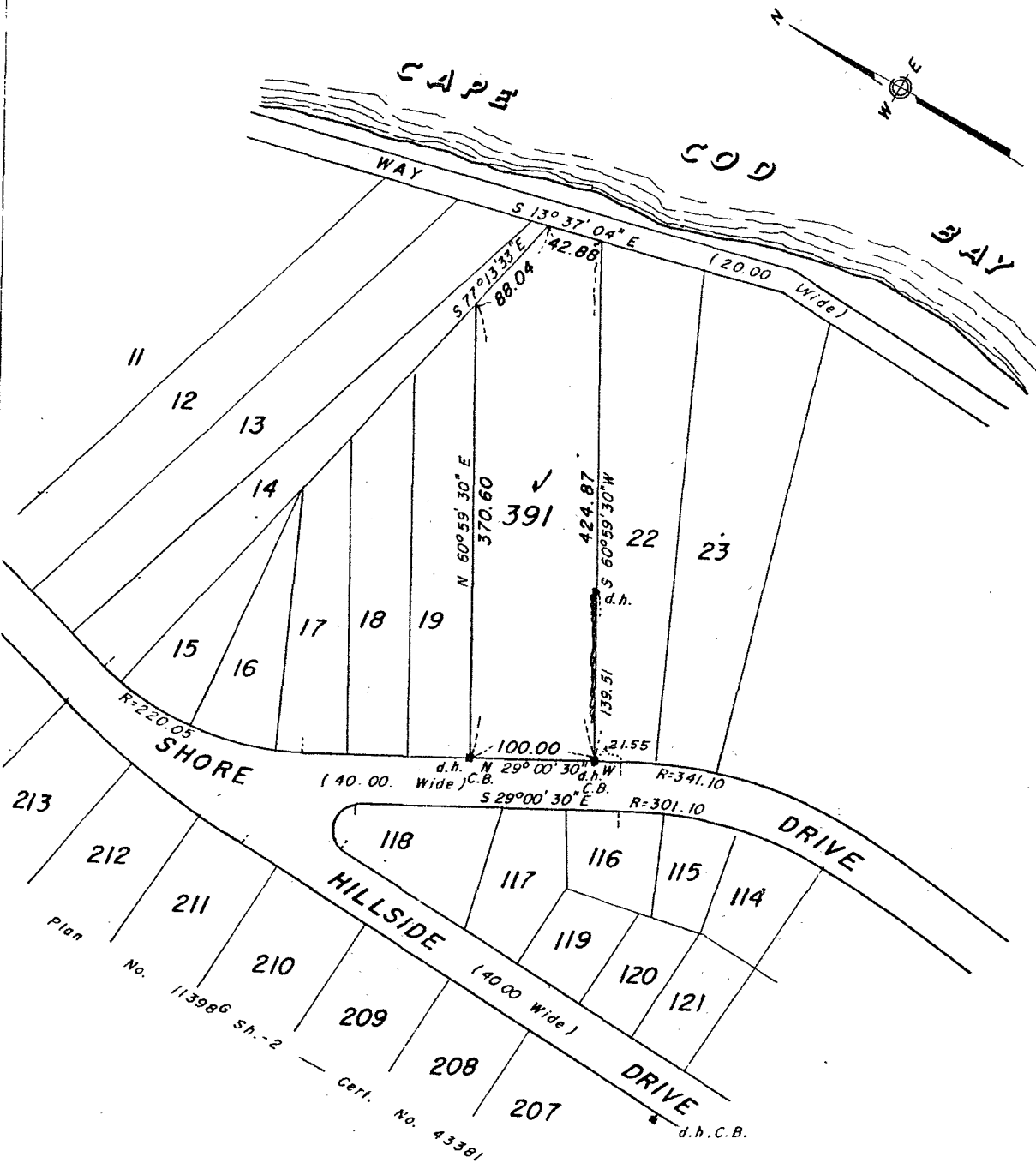
Copy of part of plan
filed in
LAND REGISTRATION OFFICE
September 11, 1986
Scale of this plan 40 feet to an inch
Louis A. Moore, Engineer for Court

SUBDIVISION PLAN OF LAND IN PLYMOUTH

11398H

Associated Engineers of Plymouth, Inc., Surveyors

September 21, 1979



Subdivision of Lots 20 and 21
 Shown on Plan 11398B Sheet 2
 Filed with Cert. of Title No. 2628
 Registry District of Plymouth County

THIS PLAN FILED WITH
 CERTIFICATE NO. 71003

Separate certificates of title may be issued for land
 shown hereon as Lot 391
 By the Court.

Charles W. ...
 Recorder.

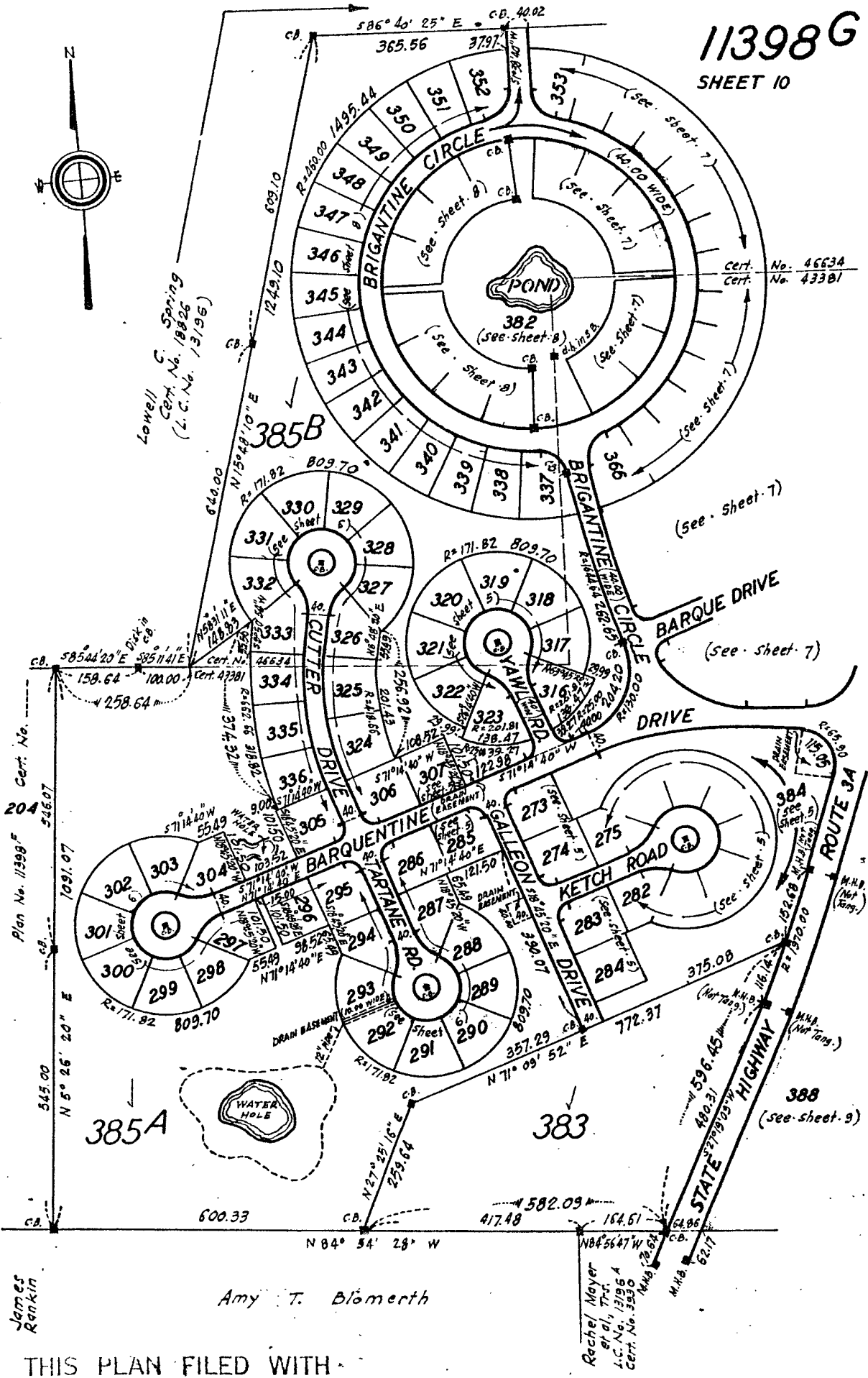
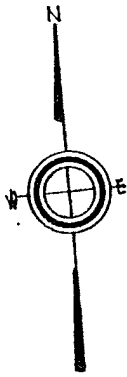
FEB. 26, 1985

Copy of part of plan
 filed in
LAND REGISTRATION OFFICE
 FEB. 26, 1985
 Scale of this plan 100 feet to an inch
 Louis A. Moore, Engineer for Court

FP.

11398G

SHEET 10



Lowell C. Spring
 Cert. No. 18826
 (L.C. No. 13195)

Cert. No. 46634
 Cert. No. 43381

Plan No. 11399F
 Cert. No. 54607

James Rankin

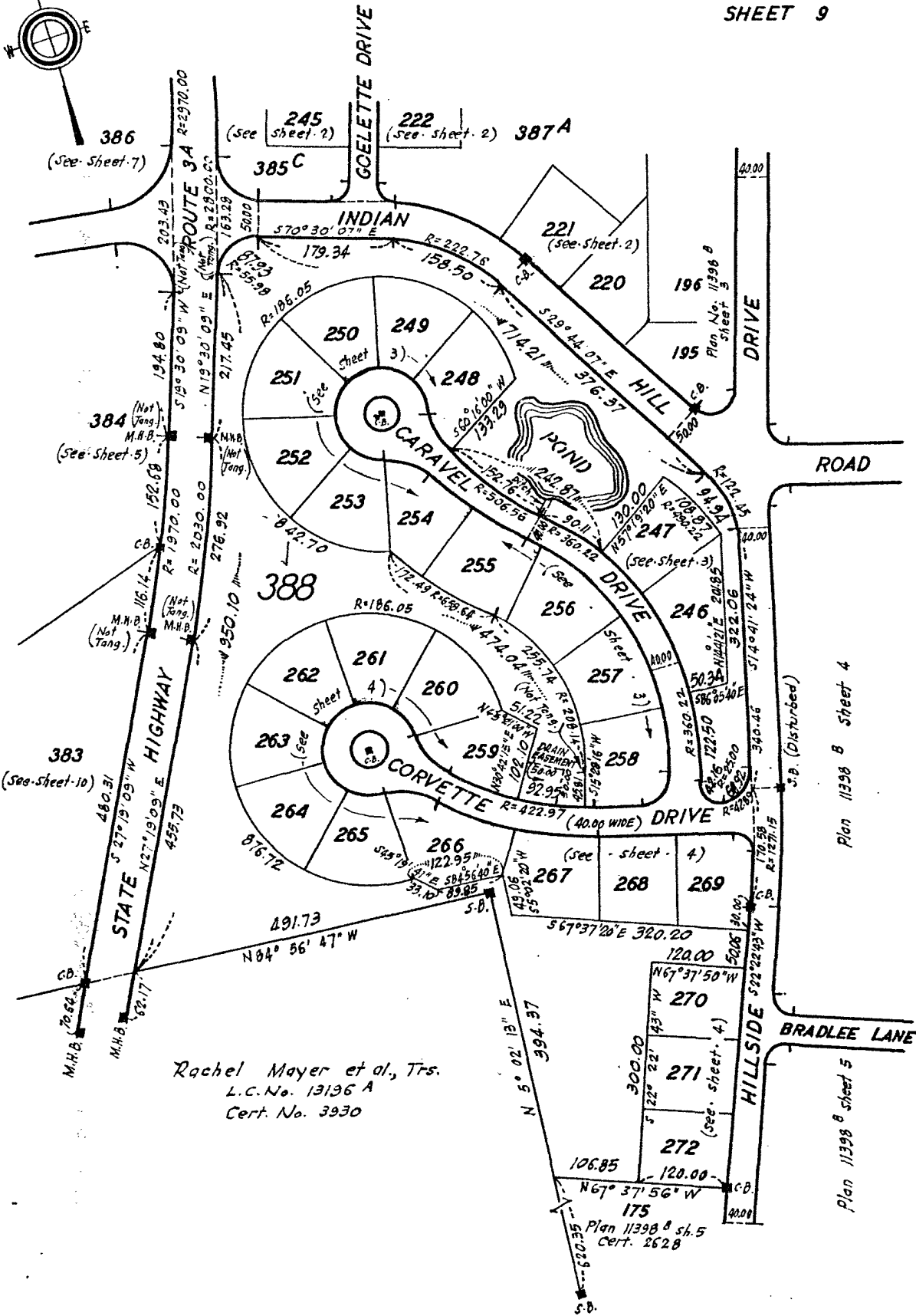
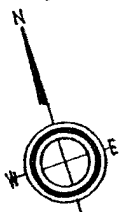
Amy T. Blomerth

Rachel Mayer
 et al, Trs.
 L.C. No. 13196 A
 Cert. No. 3330

THIS PLAN FILED WITH

CERTIFICATE NO. 43381

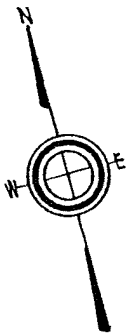
Scale of this plan 200 feet to an inch



Rachel Mayer et al., Trs.
 L.C. No. 13136 A
 Cert. No. 3930

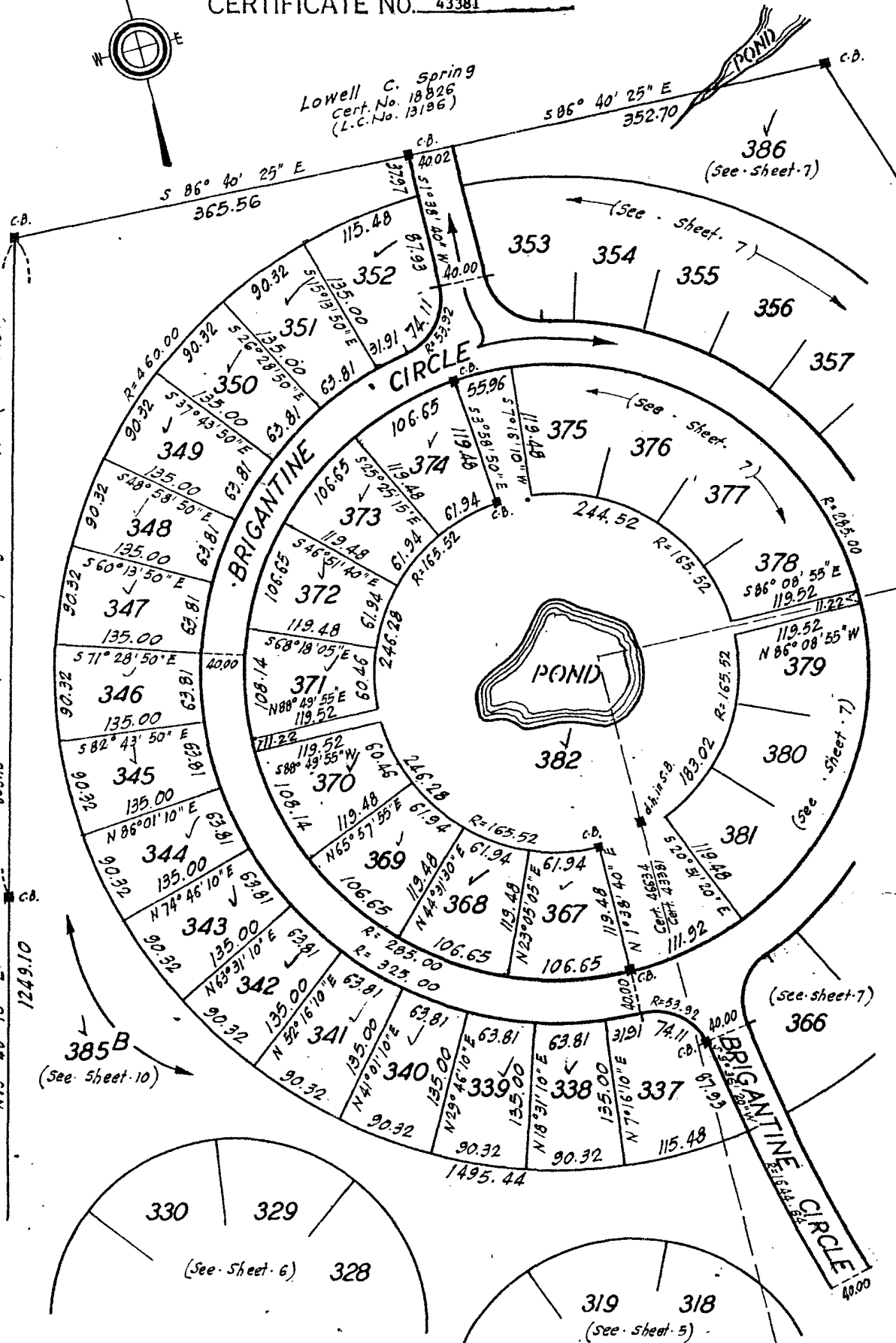
THIS PLAN FILED WITH
 CERTIFICATE NO. 43381

11398G
 SHEET 8



Lowell C. Spring
 Cert. No. 18826
 (L.C. No. 13196)

608.10 Lowell C. Spring Cert. No. 18826 (L.C. No. 13196)



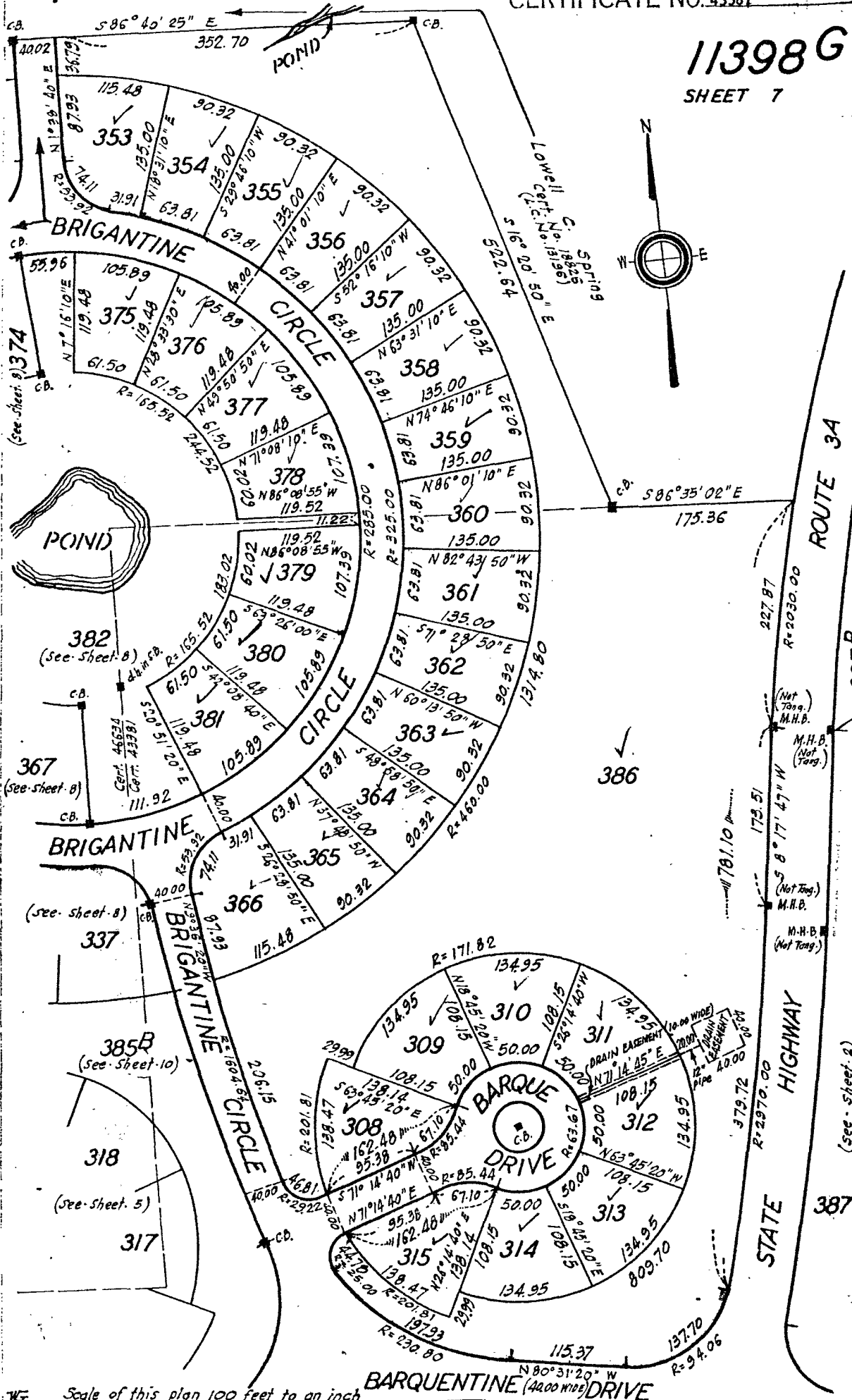
Scale of this plan 100 feet to an inch

74

76

11398 G

SHEET 7



MAP 4 1941

Scale of this plan 100 feet to an inch

ROUTE 34

STATE HIGHWAY

BARQUENTINE DRIVE (42.00 WIDE)

(see sheet 2)

(see sheet 1)

(see sheet 8)

(see sheet 8)

(see sheet 8)

(see sheet 10)

(see sheet 5)

(see sheet 5)

386

387C

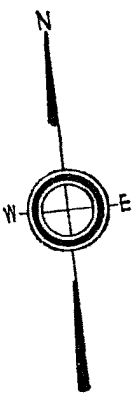
(Not Tang.) M.H.B.

(Not Tang.) M.H.B.

(Not Tang.) M.H.B.

(Not Tang.) M.H.B.

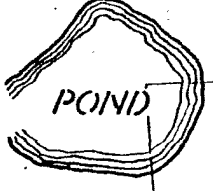
Lowell
Ct. No. 18225
Spring



586°40'25" E 352.70

4002
N129°40' E 36.79
87.95
74.11
31.91
63.81

53.96
N17°16'10" E
119.48
105.89
61.50
R=165.52



367
Cert. 46634
Cott. 43381
111.92
N19°48' E
119.48
105.89
61.50
R=165.52

337
N129°40' E 97.99
74.11
31.91
63.81
R=222.50

318
317
209.15
R=201.81
138.47
198.47
162.48
138.14
108.15
50.00
R=201.81
R=292.50
40.00
R=201.81
197.99
R=230.80

BRIGANTINE CIRCLE

353 115.48
354 90.32
355 90.32
356 135.00
357 135.00
358 135.00
359 135.00
360 135.00
361 135.00
362 135.00
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365 135.00
366 115.48
367 111.92
368 119.48
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BRIGANTINE CIRCLE

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BRIGANTINE CIRCLE

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381
382

BRIGANTINE CIRCLE

382
381
380
379
378
377
376
375
374

BARQUE DRIVE

308 134.95
309 134.95
310 134.95
311 134.95
312 134.95
313 134.95
314 134.95
315 134.95

BARQUE DRIVE

308
309
310
311
312
313
314
315

BARQUE DRIVE

308
309
310
311
312
313
314
315

BARQUE DRIVE

308
309
310
311
312
313
314
315

516°00'50" E 522.64

586°35'02" E 175.36

781.10

173.51
58°17'47" W

379.72
R=2970.00

137.70
R=94.06

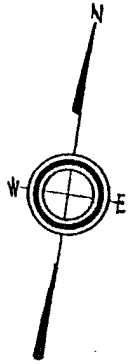
115.37

N80°31'20" W

THIS PLAN FILED WITH
CERTIFICATE NO. 43381

11398G

SHEET 6

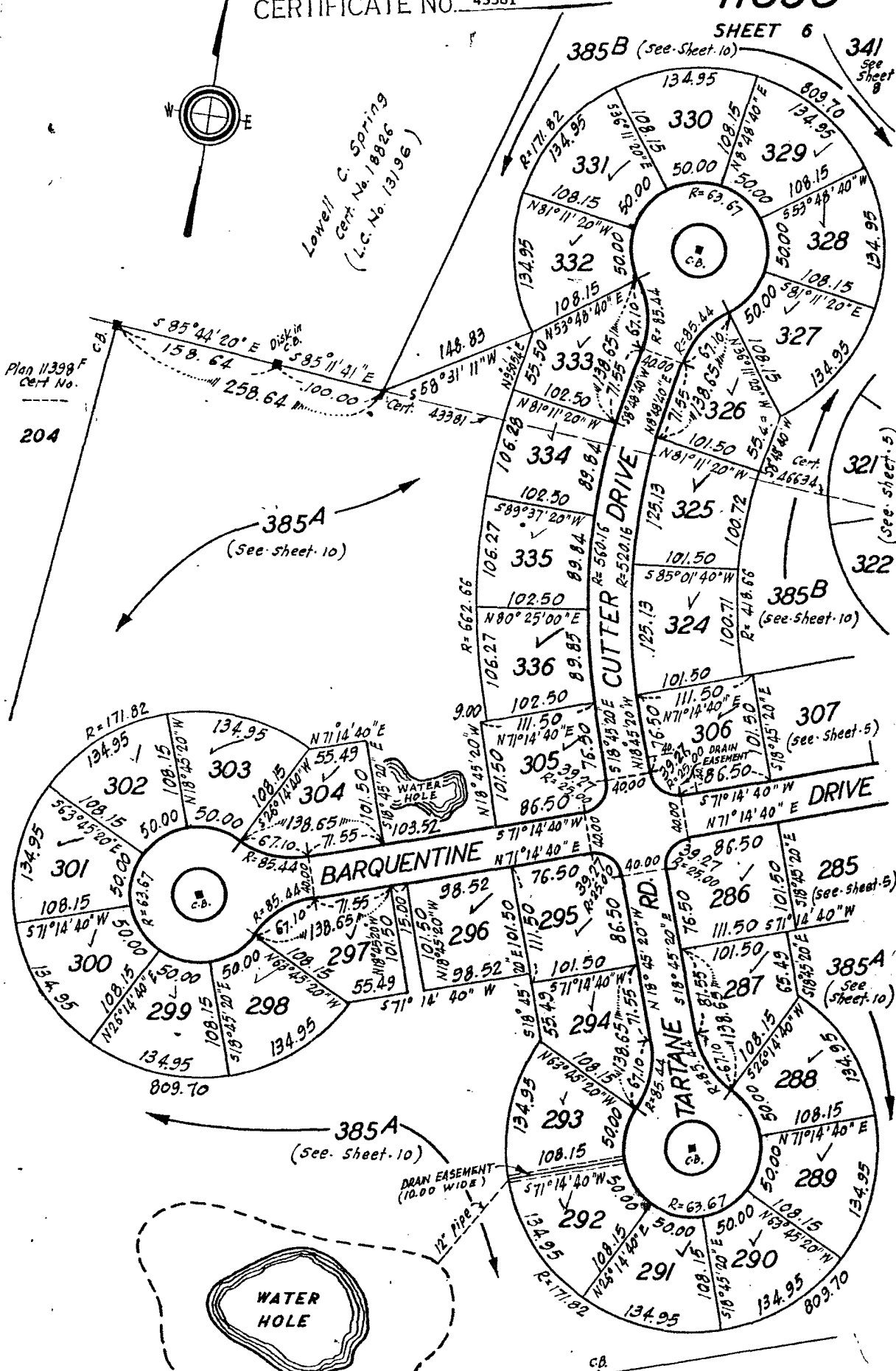


Lowell C. Spring
Cert. No. 18826
(L.C. No. 13196)

Plan 11398F
Cert. No.

204

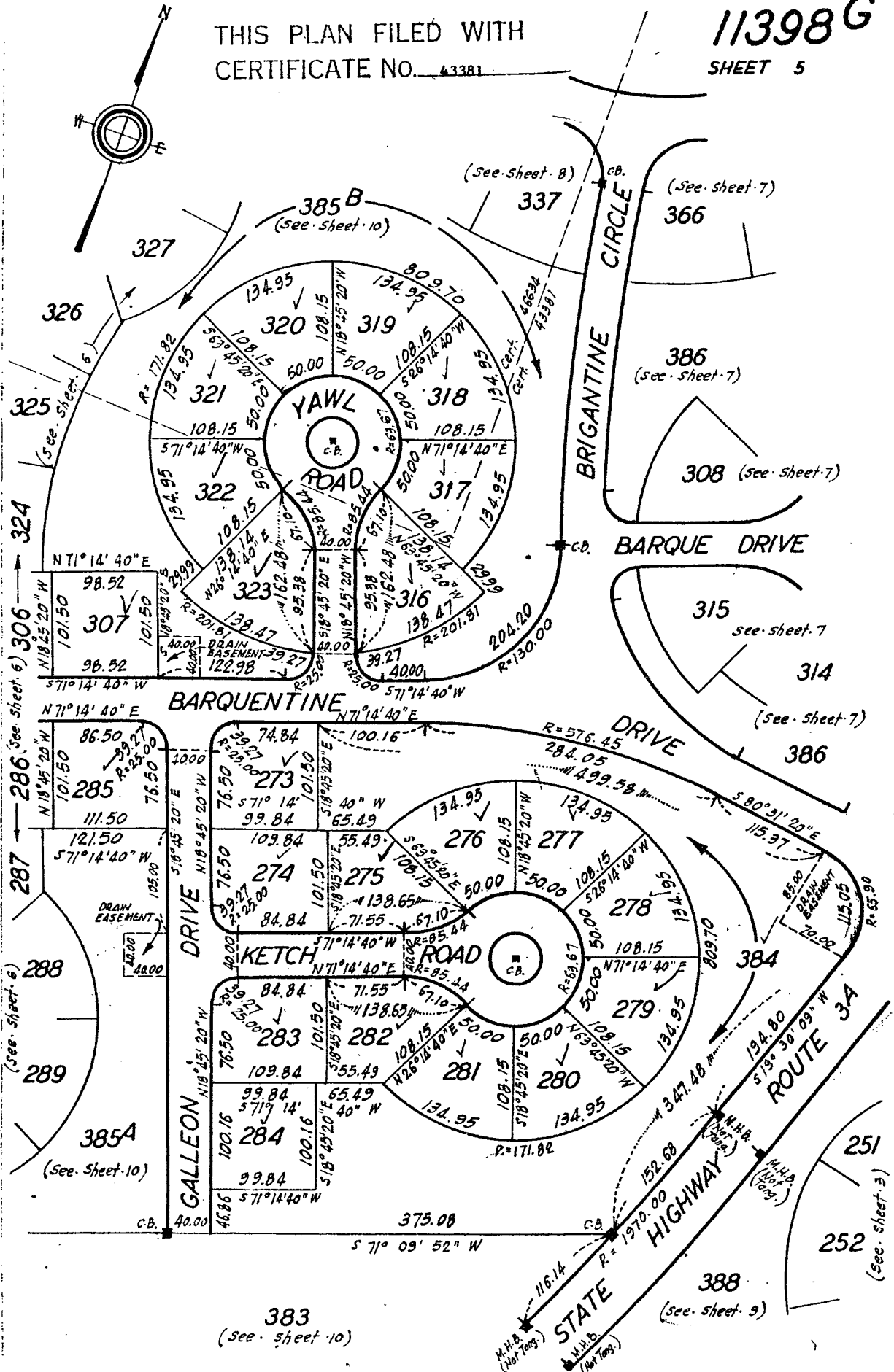
MAY 27 1971



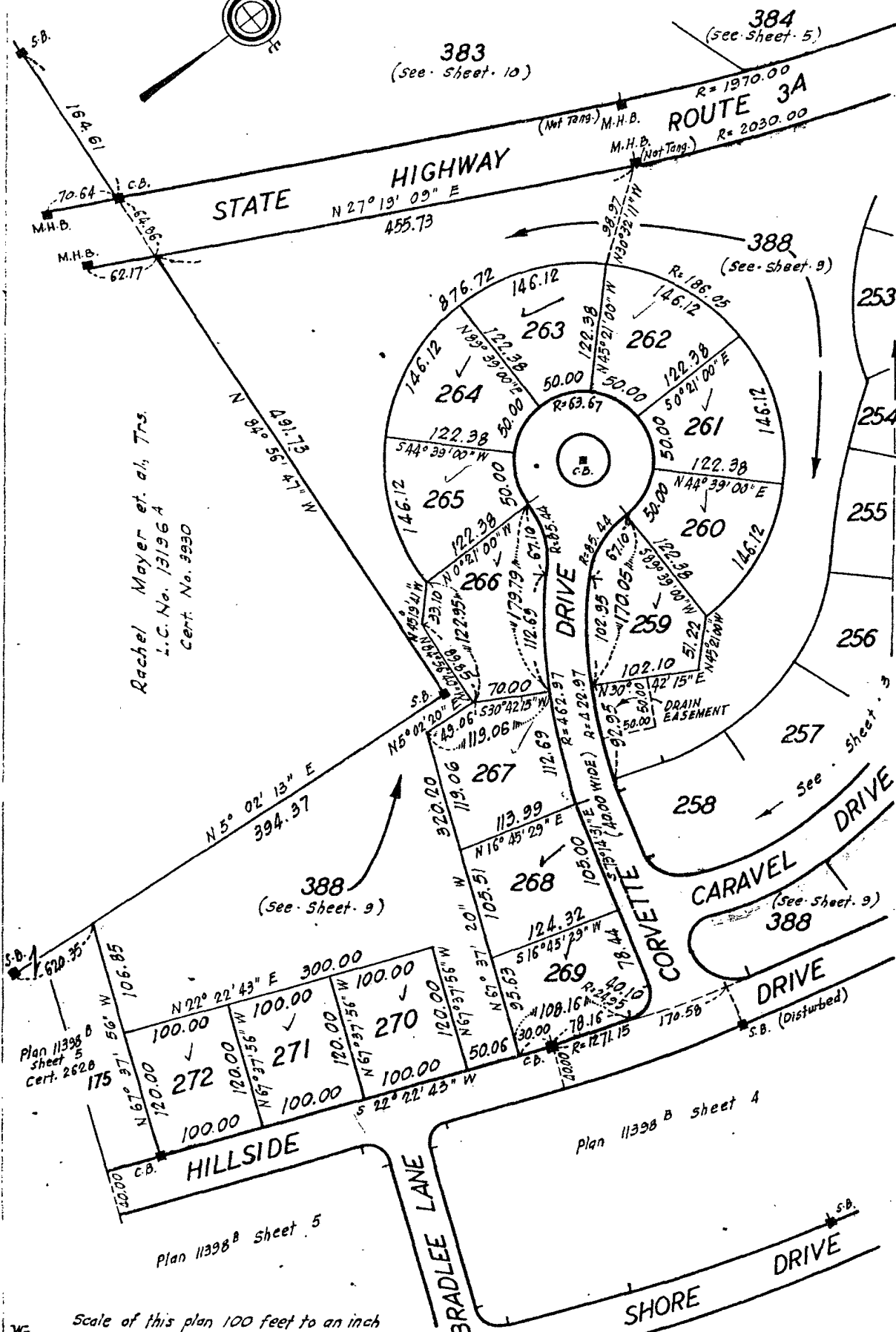
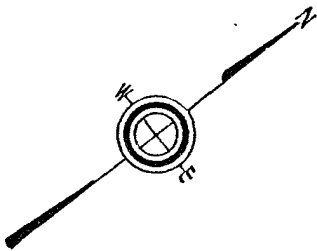
Scale of this plan 100 feet to an inch (See Sheet 10) 383

THIS PLAN FILED WITH
CERTIFICATE NO. 43381

11398G
SHEET 5



Scale of this plan 100 feet to an inch



Rachel Mayer et. al, Trs.
L.C. No. 13196 A
Cert. No. 9930

Plan 11398 B
Sheet 5
Cert. 2628

Plan 11398 B Sheet 5

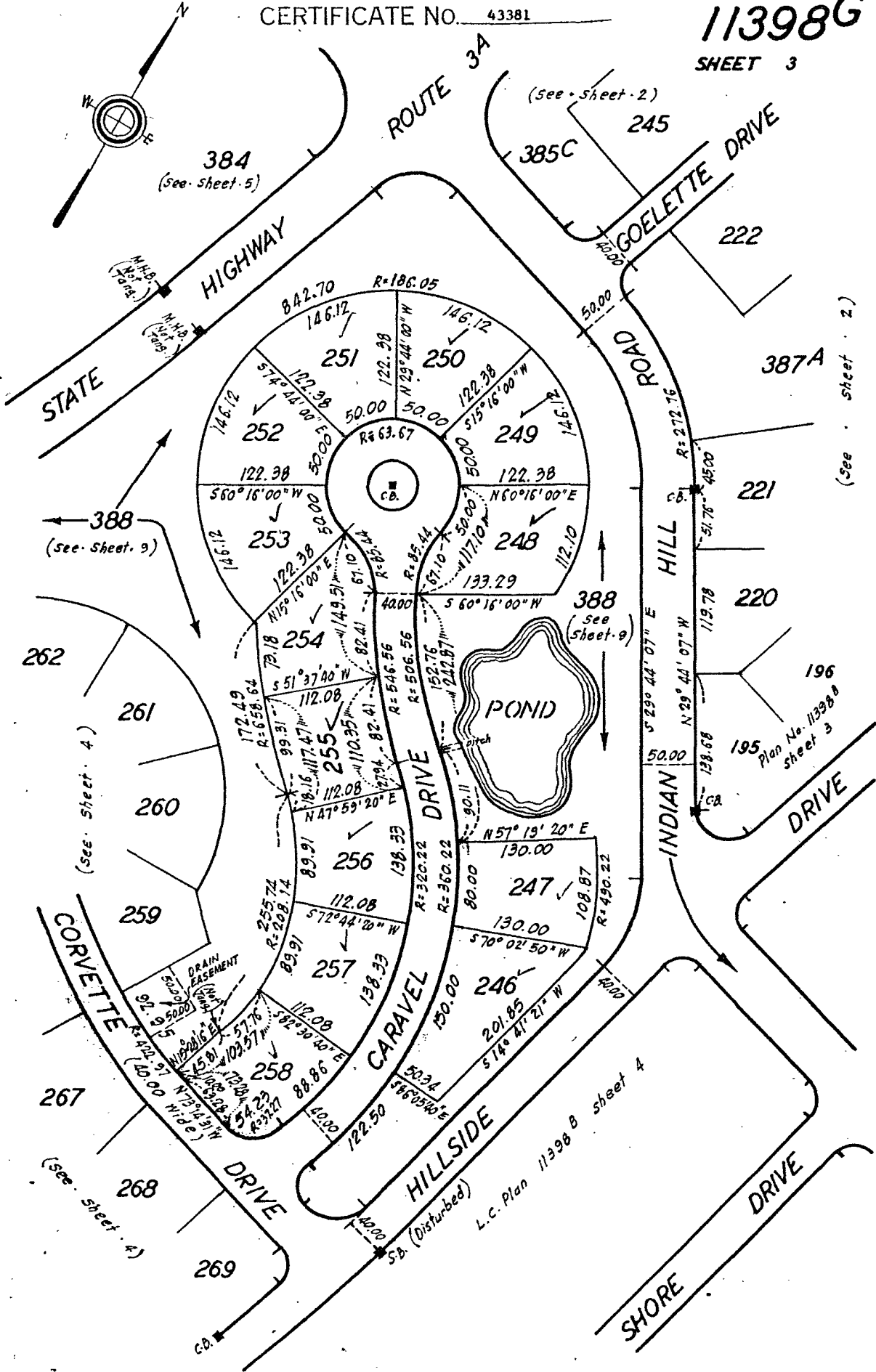
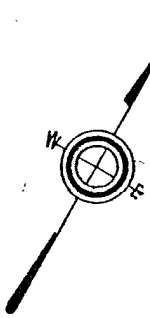
Plan 11398 B sheet 4

Scale of this plan 100 feet to an inch

1/11/77 LVM

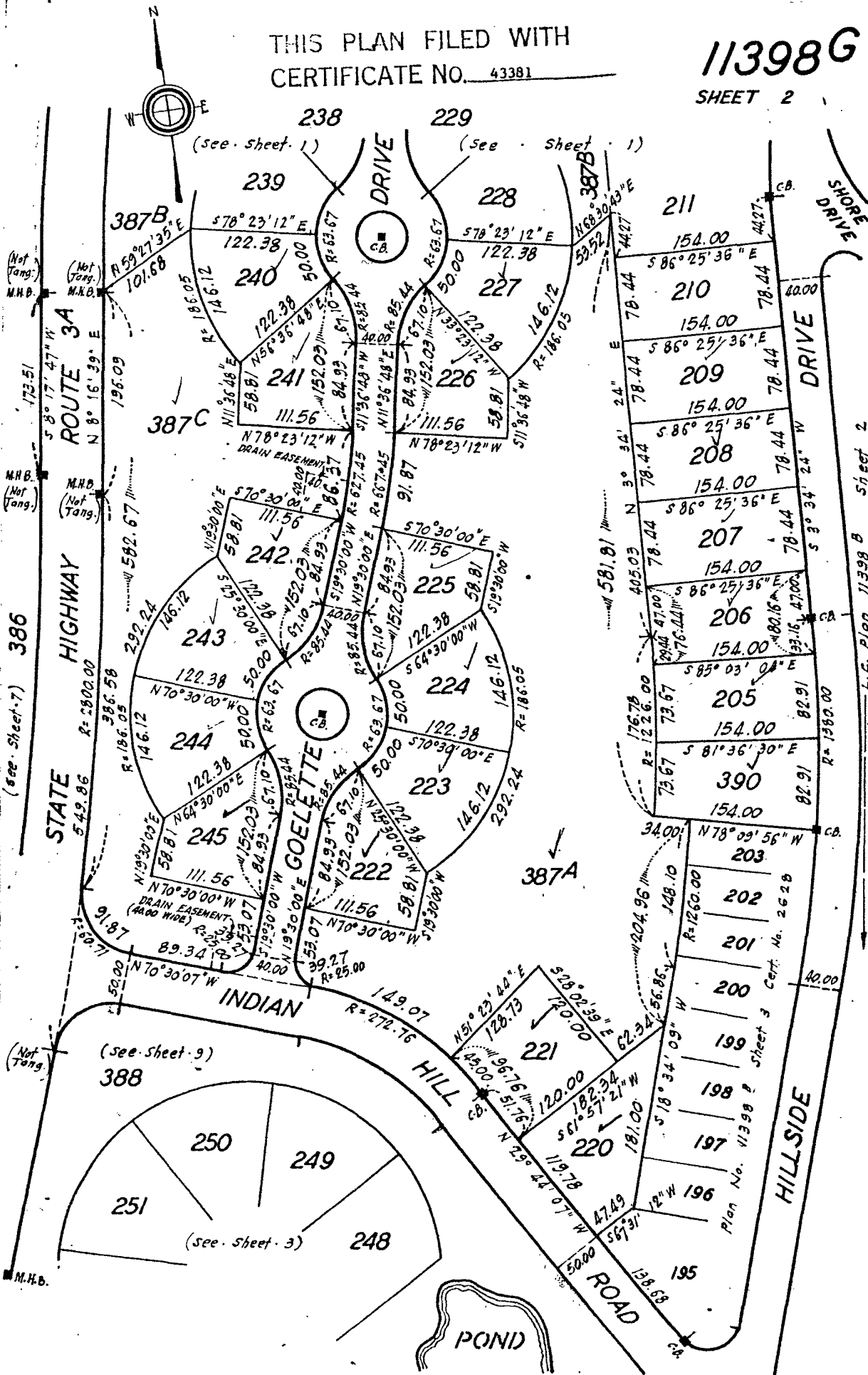
VF

12



MAY 27 1971

Scale of this plan 100 feet to an inch



Scale of this plan 100 feet to an inch

SUBDIVISION PLAN OF LAND IN PLYMOUTH

Dalano & Keith, Inc., Surveyors

May 9, 1969

11398 G

SHEET 1

THIS PLAN FILED WITH
CERTIFICATE NO. 43381

Lowell C. Spring
Cert. No. 18826
(L.C. No. 13195)

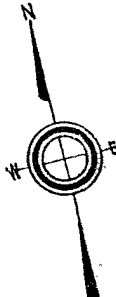
HIGHWAY
330.80

STATE
R=1970.00

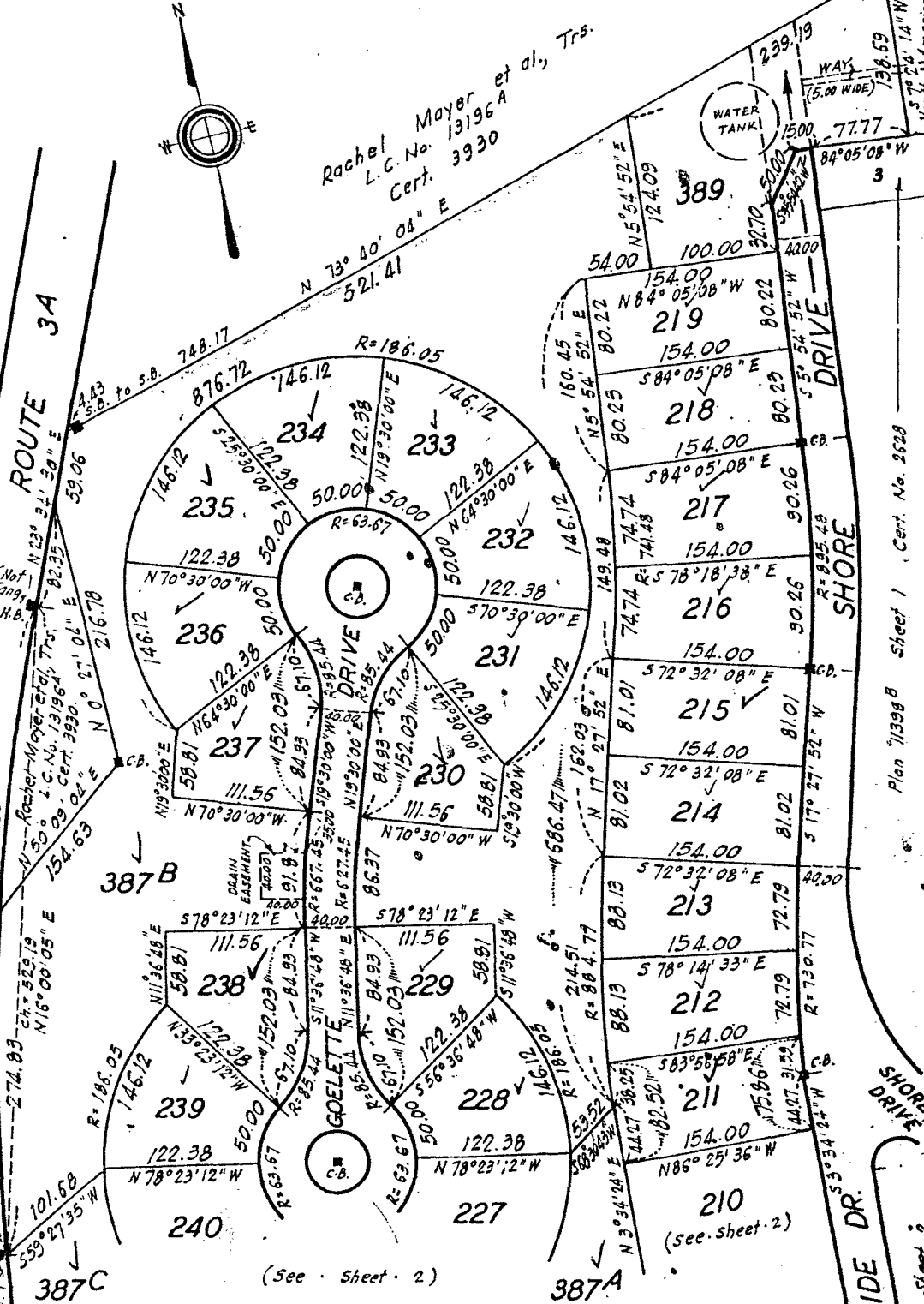
386 (See Sheet 7)

ROUTE
34

ROUTE
34



Rachel Mayer et al., Trs.
L.C. No. 13196 A
Cert. 3930



Plan 11398 B Sheet 1 Cert. No. 2628

HILLSIDE DR.
SHORE DRIVE
Plan 11398 B Sheet 2

Subdivision of Part of Lots A, E, 1 & 2 and Lot 812
Shown on Plans 11398A Sheets 1 & 2, 11398B Sheet 1 & 13196-3
Filed with Cert. of Title No. 2628 and
Registry District of Plymouth County

Separate certificates of title may be issued for land
shown hereon and on sheets 2 thru 10 of lots 205 thru 384
by the Court. 385A, 385B, 386, 387A, 387B, 387C, 388, 389 & 390.

Margaret M. Daley
Recorder

Copy of part of plan
filed in
LAND REGISTRATION OFFICE
FEB. 11, 1971
Scale of this plan 1/20 feet to an inch
R.L. Woodbury, Engineer for Court

APR 14 27 1971

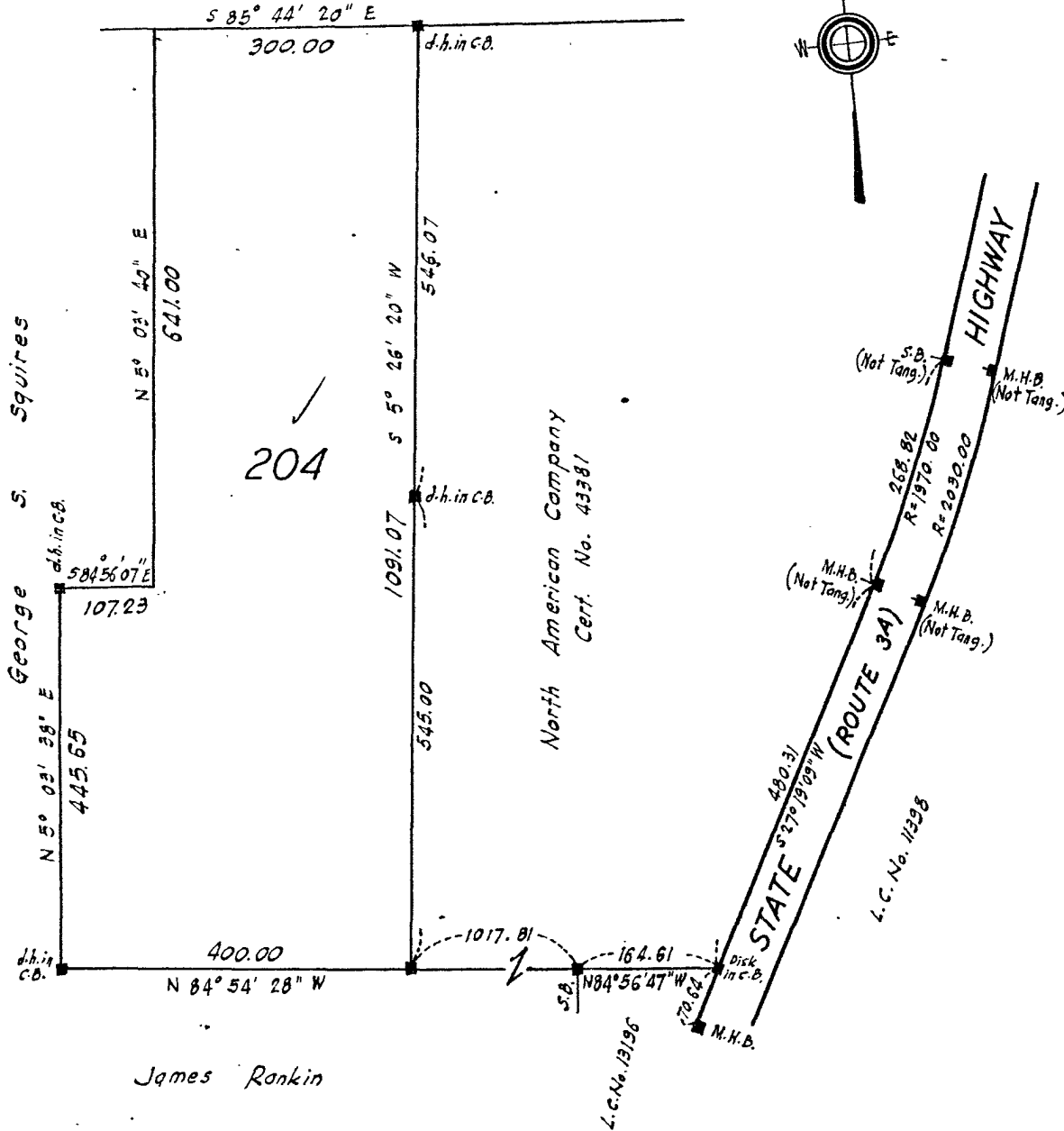
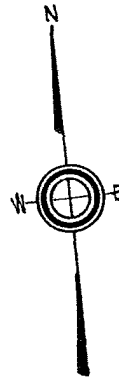
SUBDIVISION PLAN OF LAND IN PLYMOUTH

Delano & Keith, Inc., Surveyors

May 19, 1969

11398^F

Rachel Mayer et al., Trs.
L.C. No. 13196^A
cert. 3930



204

James Rankin

Subdivision of Part of Lot B
Shown on Plan 11398^A Sheet 2
Filed with Cert. of Title No. 2628
Registry District of Plymouth County

Separate certificates of title may be issued for land
shown hereon as lot 204
By the Court.

THIS PLAN FILED WITH
CERTIFICATE NO. 46635

Copy of part of plan
filed in
LAND REGISTRATION OFFICE
OCT. 23, 1969
Scale of this plan 1/50 feet to an inch
R.L. Woodbury, Engineer for Court v.l.

APRIL 27, 1971

Margaret M. Daly
Recorder.

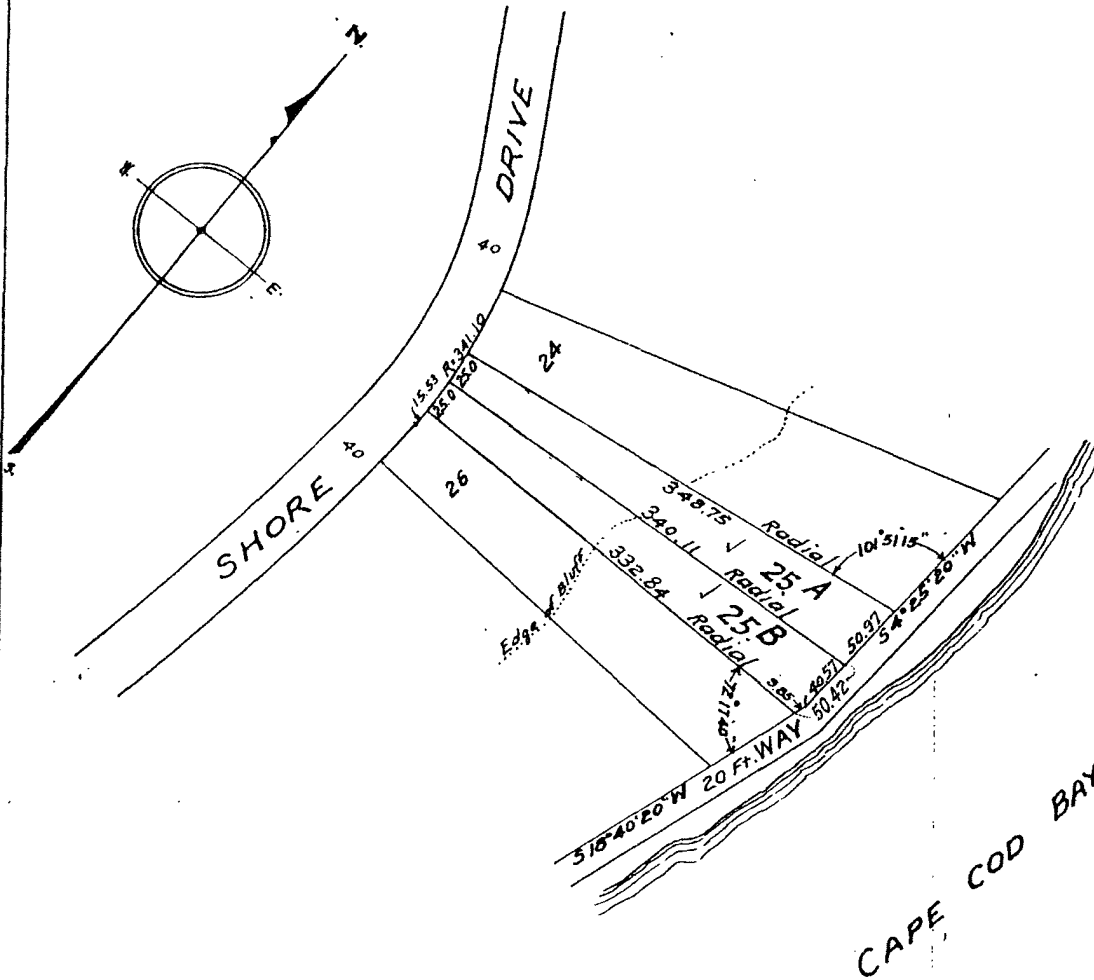
11398^E

SUBDIVISION PLAN OF LAND IN PLYMOUTH

Ernest W. Branch Inc. Civil Engineers

September 2, 1947

THIS PLAN FILED WITH
CERTIFICATE No. 14007



Subdivision of Lot 25
 Shown on plan 11398^B sh. 2
 Filed with Cert. of Title No. 2628
 Registry District of Plymouth County

Separate certificates of title may be issued
 for lots 25A and 25B as shown hereon
 By the Court

Thomas B. Cummings
 Deputy Recorder.

Copy of part of plan
 filed in
LAND REGISTRATION OFFICE
 JULY 25, 1949
 Scale of this plan 100 feet to an inch
 W. T. Fairclough, Engineer for Court ✓

REC'D JULY 25, 1949.

NO. 101

11398^D

Subdivision of Lots 89, 90, 91 shown on Plan 11398^B Sh. 4

Filed with Cert. of Title No. 2628 Registry District of Plymouth County

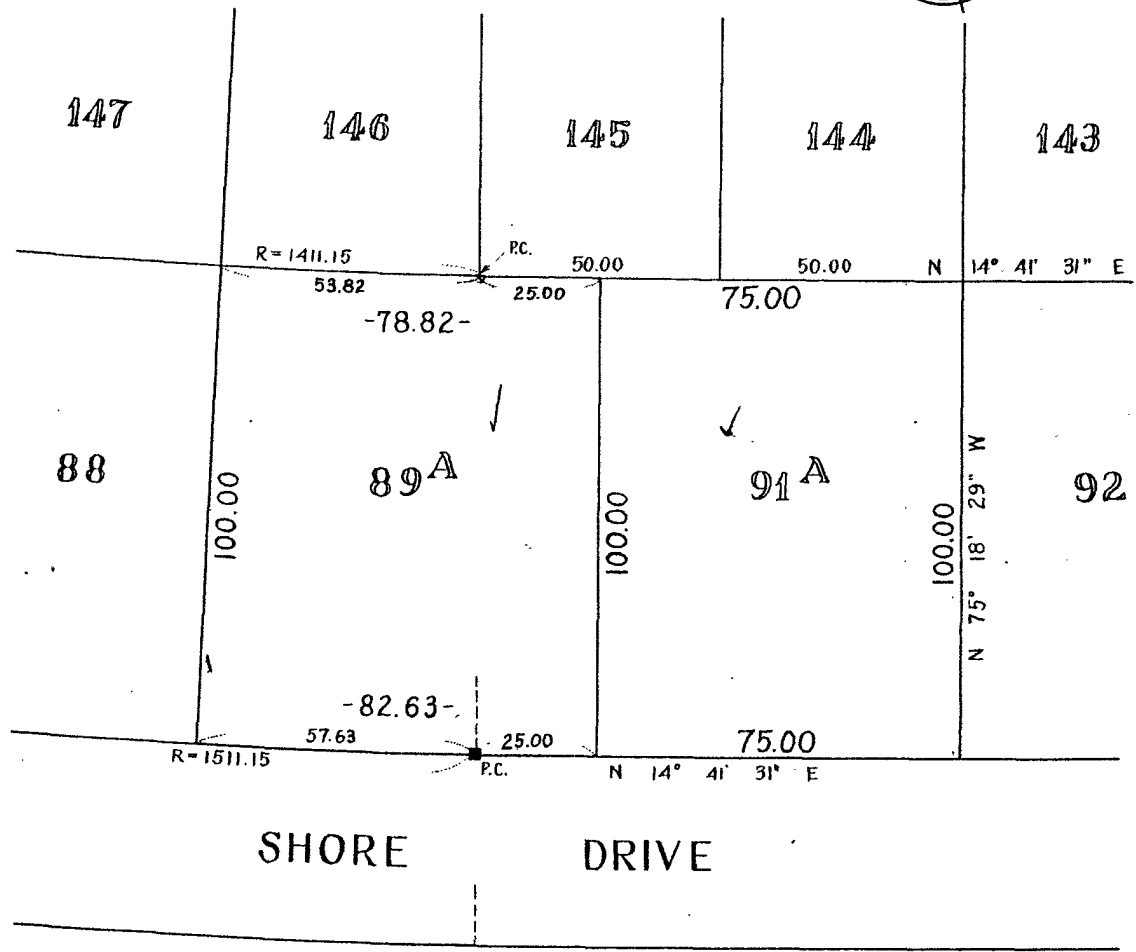
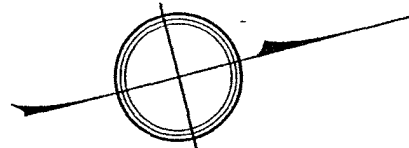
LAND IN PLYMOUTH

Scale 30 feet to an inch

July 25, 1939

C. B. Humphrey, Engineer for Court.

THIS PLAN FILED WITH
CERTIFICATE No. 6705



Certificate No. 2628 -- Shore Acres Company, Owner.

Separate certificates of title may be issued
for Lots 89A and 91A as shown hereon
By the Court

Charles S. Smith
Recorder.

July 25, 1939

L.R.

11398^C

Subdivision of Lot A shown on plan 11398^A sheet 1, and
Lots 43 to 57 (incl.) shown on plan 11398^B sheet 4

Filed with Cert. of Title No. 2688 Registry District of Plymouth County

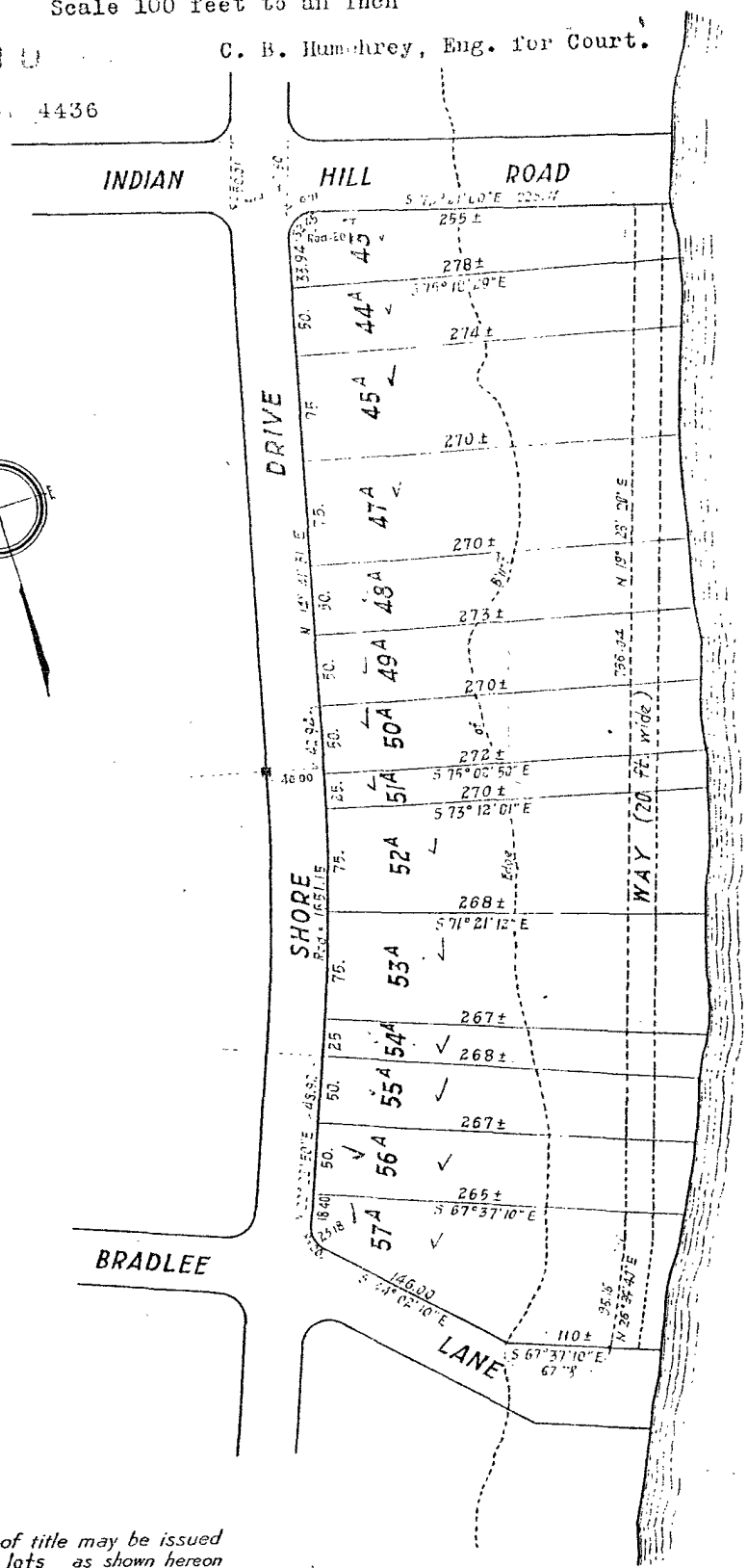
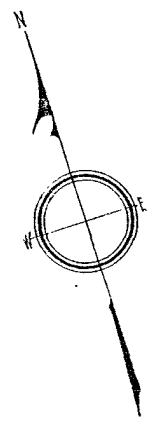
LAND IN PLYMOUTH

DEC. 28, 1932

Scale 100 feet to an inch

C. B. Humphrey, Eng. for Court.

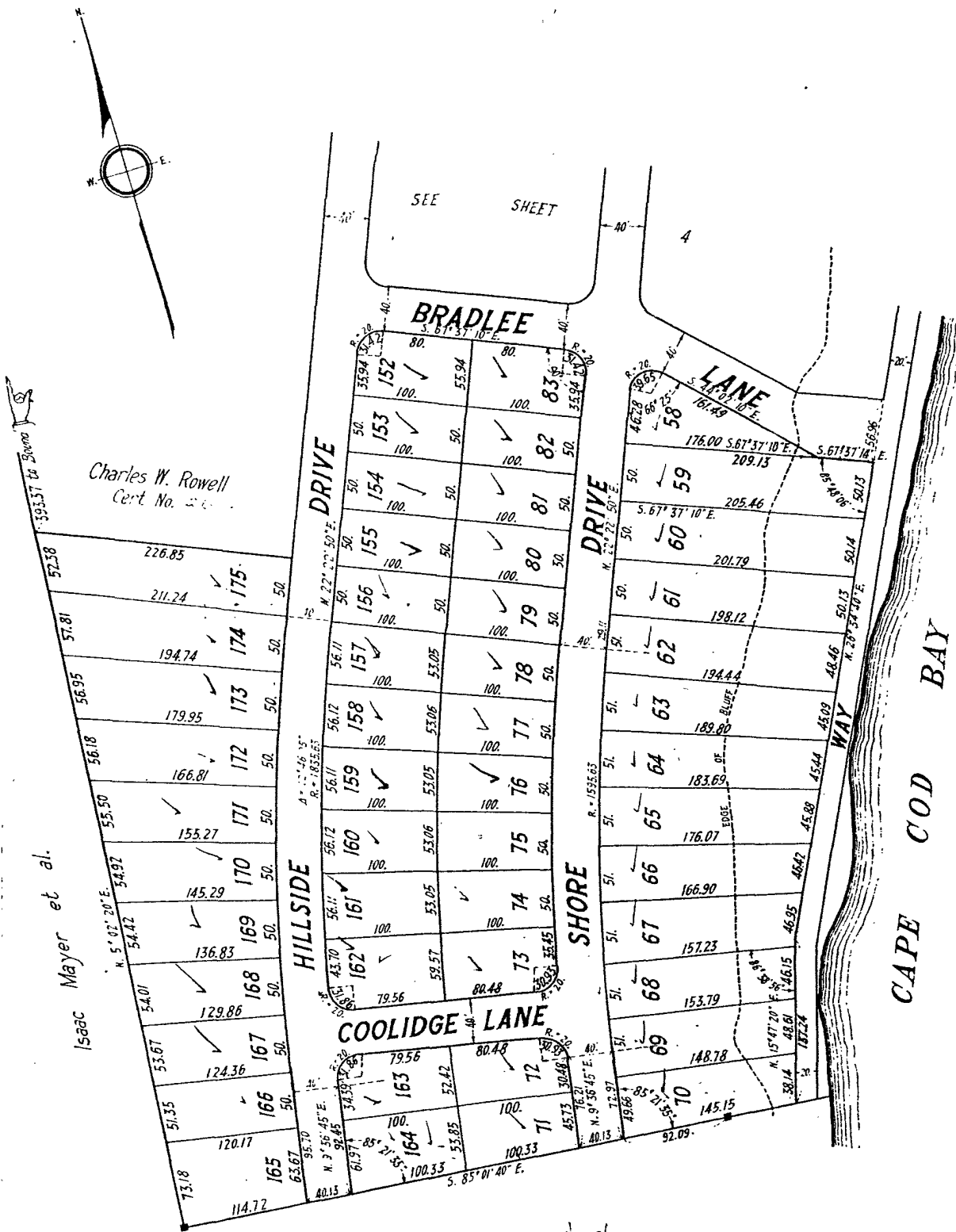
PLATE FILED
OR RECORDED IN 4436



BAY
COD
CAPE

Separate certificates of title may be issued
for the numbered lots... as shown hereon
By the Court
Charles Southworth
Recorder.

DEC. 28, 1932



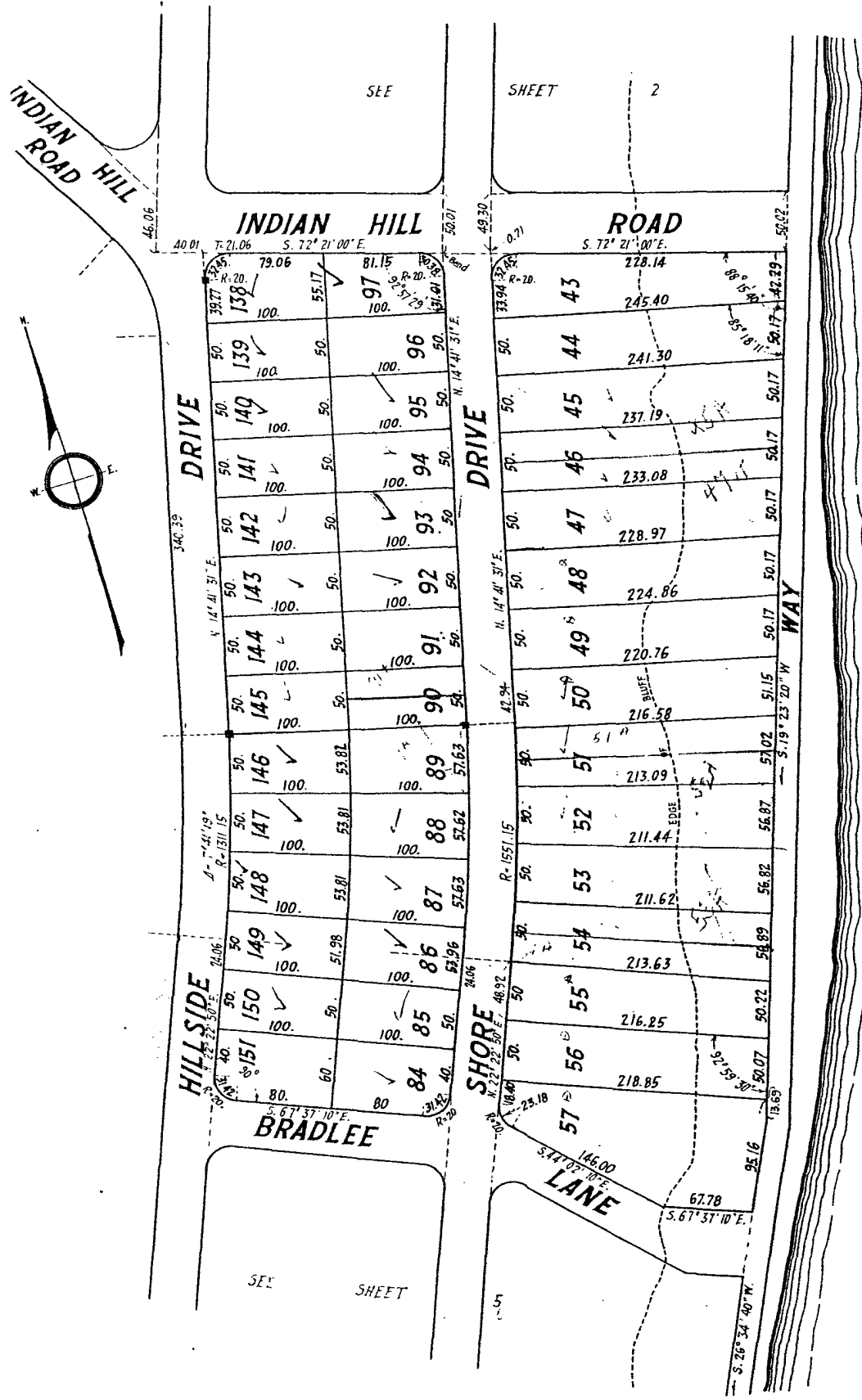
Isaac Mayer et al.

THIS PLAN FILED WITH
CERTIFICATE No. 3538

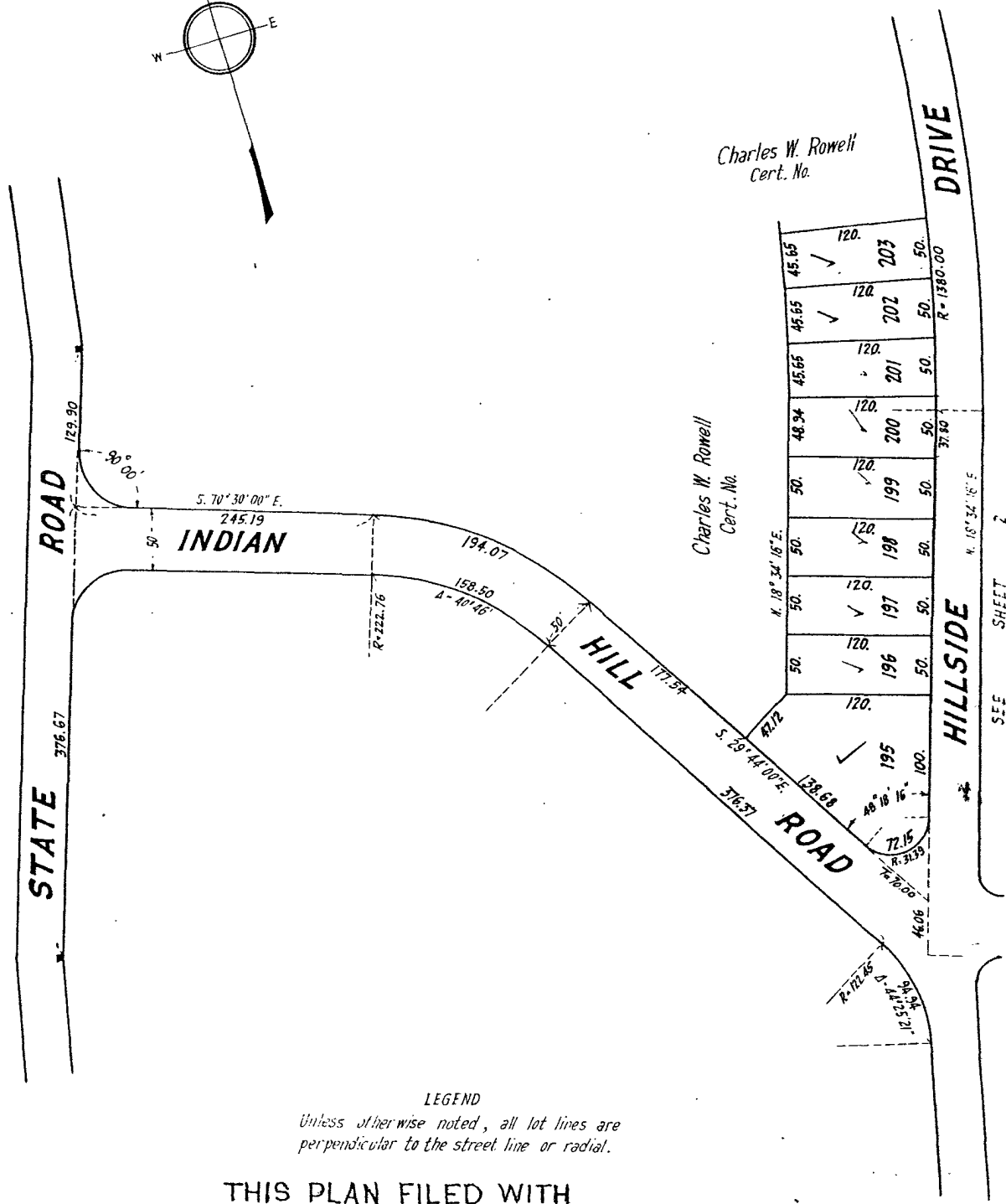
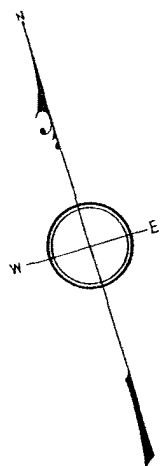
LEGEND

SEE SHEET 4

See 11398C



THIS PLAN FILED WITH
CERTIFICATE No. 3538



SEE SHEET 2

LEGEND
Unless otherwise noted, all lot lines are perpendicular to the street line or radial.

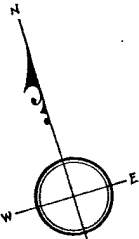
THIS PLAN FILED WITH
CERTIFICATE No. 3538

11398 B Lot 391 - C-1A 71163
 11398 E - Lots 25 A + 25 B CERT. 14001
 S. 72° 30' E SEE SHEET 1 LOT 14

11398 B
 SHEET 2

LEGEND
 Unless otherwise noted, all lot lines are perpendicular to the street line wherever applicable.

THIS PLAN FILED WITH
 CERTIFICATE No. 2538



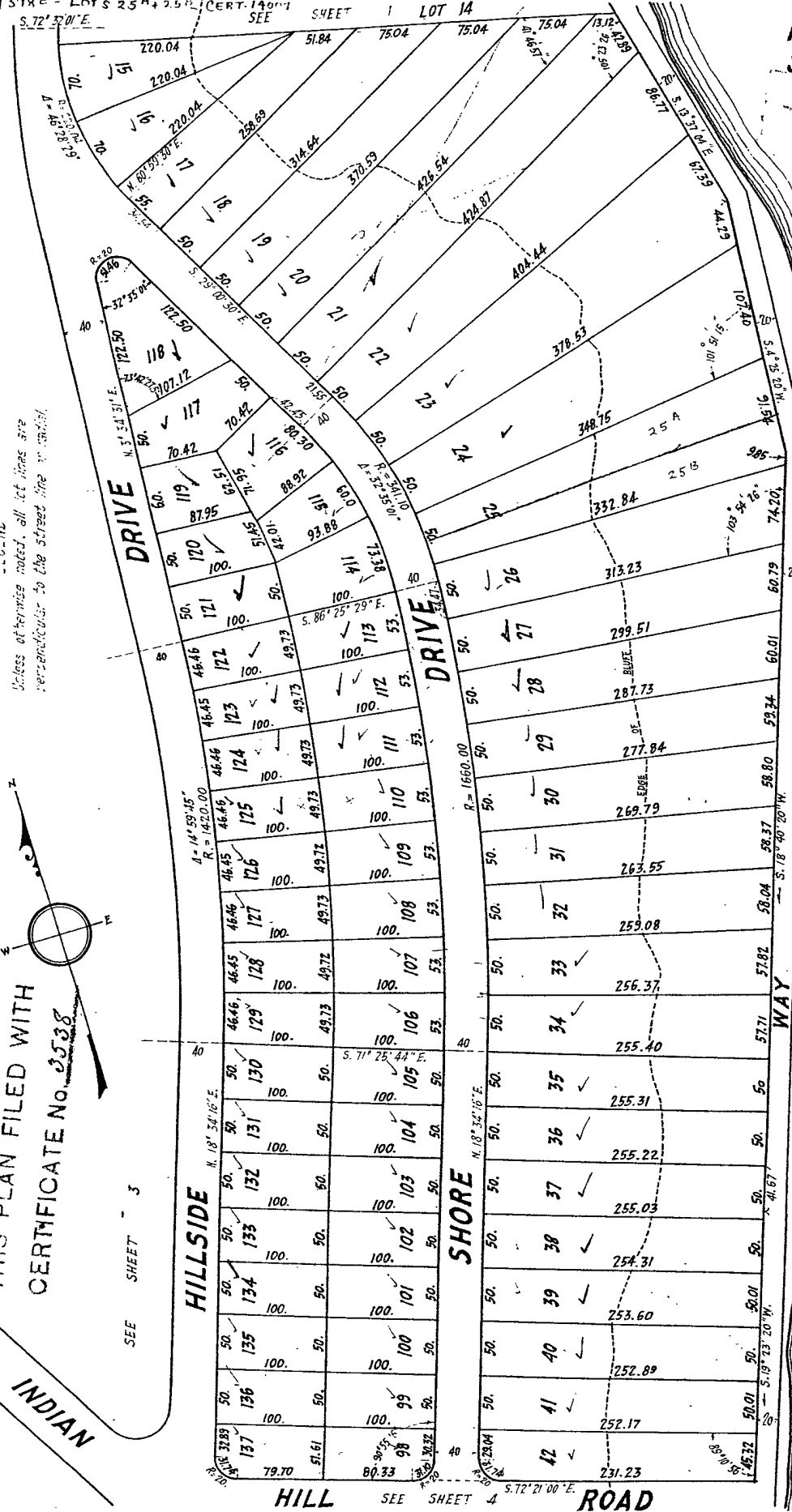
SEE SHEET 3

HILLSIDE

SHORE

HILL ROAD SEE SHEET 4

CAPE COD BAY
 WAY



Subdivision of lot A - shown on plan filed with 11398B
Cert. of Title No. 2628 Registry District of Plymouth County SHEET 1

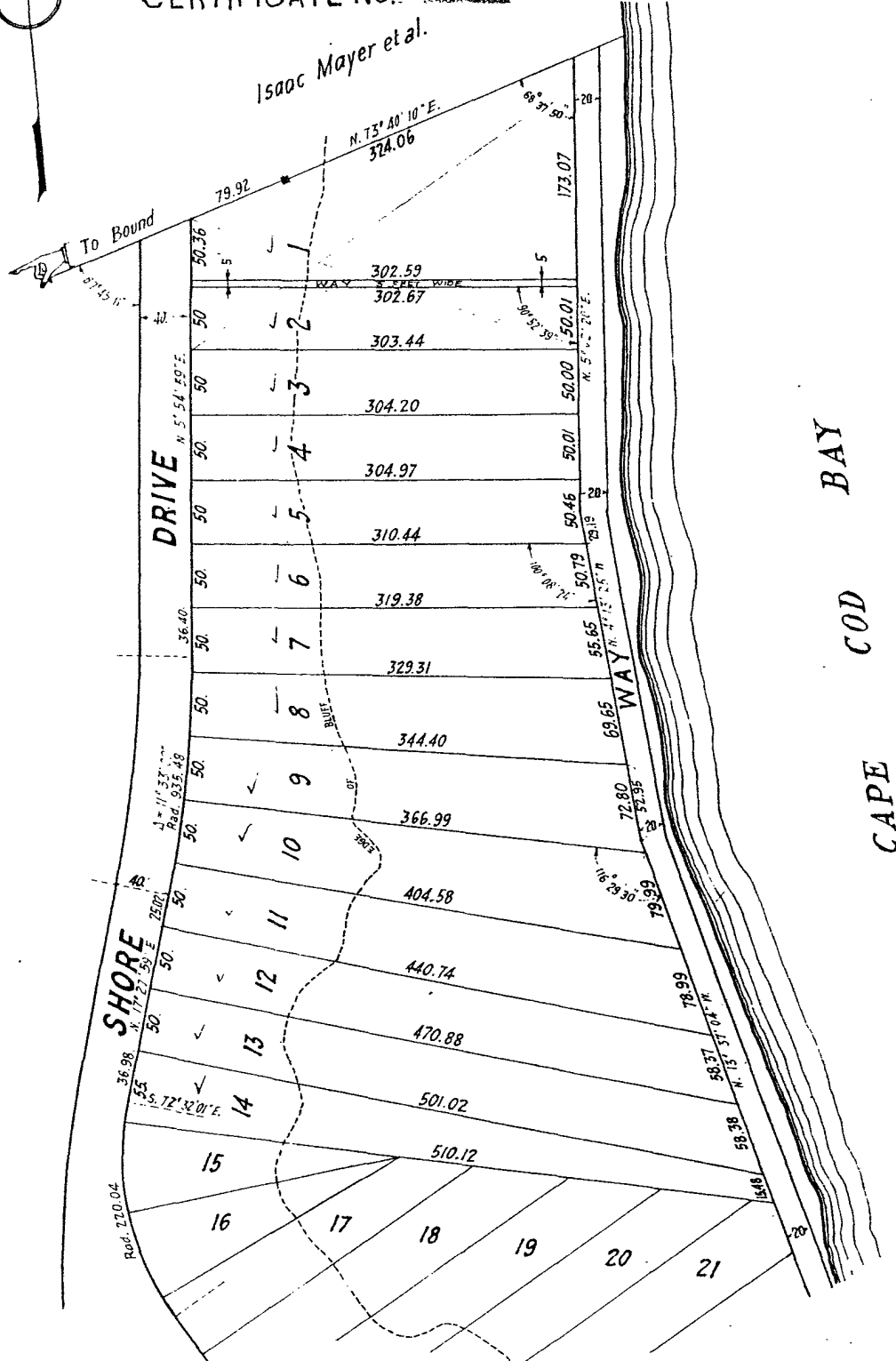
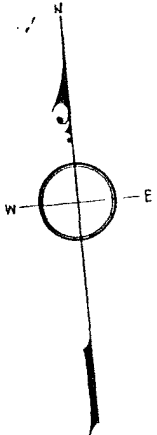
LAND IN PLYMOUTH

Scale 100 feet to an inch

AUG. 1926

THIS PLAN FILED WITH Ernest W. Branch, Civil Engineer

CERTIFICATE No. 3538



LEGEND

Unless otherwise noted, all lot lines are perpendicular to the street line or road.

Separate certificates of title may be issued SEE SHEET 2

Copy of part of plan filed in
LAND RECORDS OFFICE
AUG. 25 1926

Aug. 31,

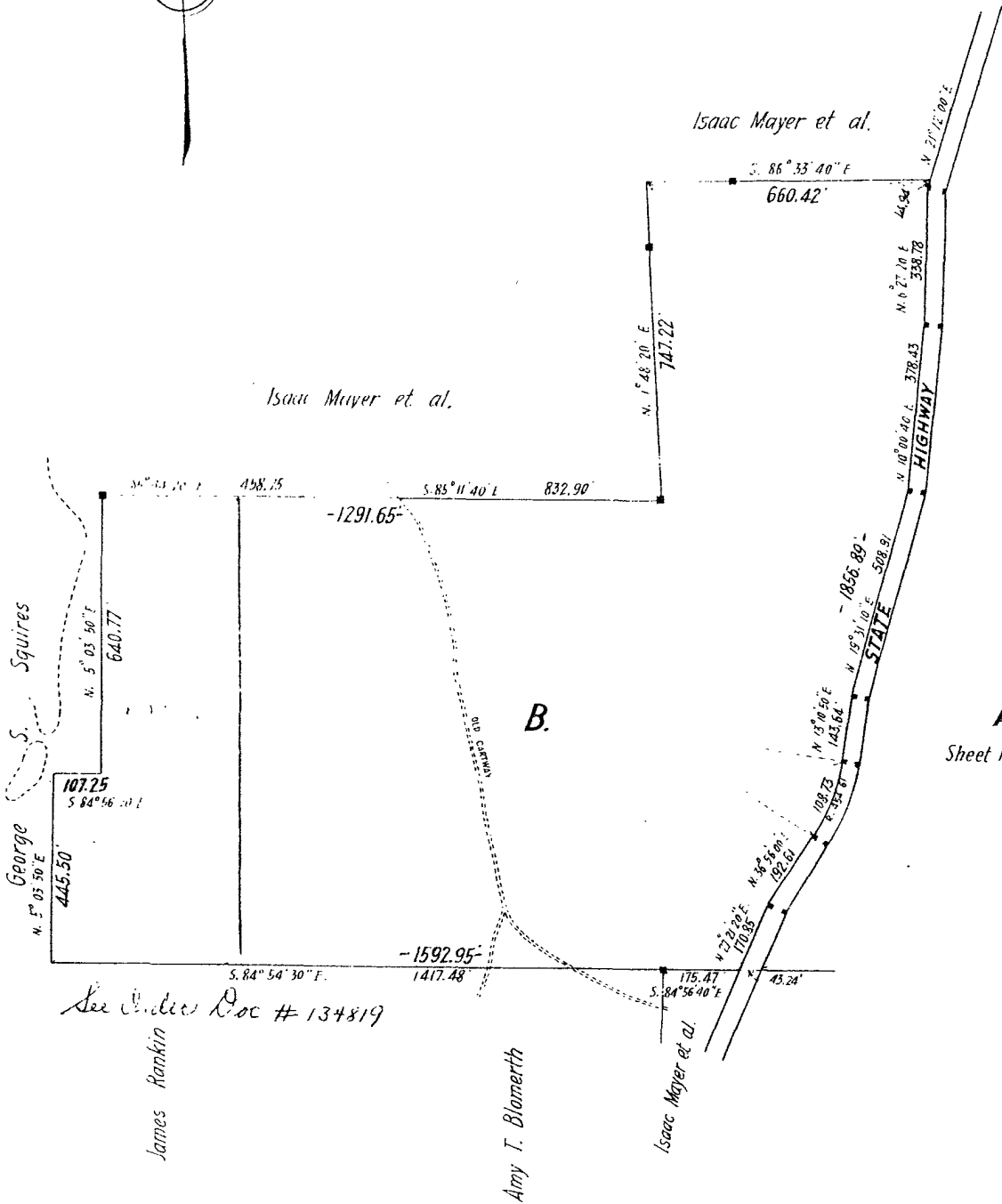
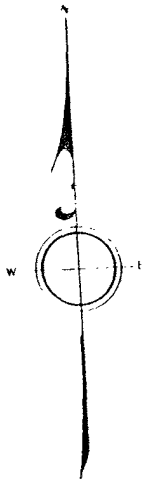
PLAN OF LAND IN PLYMOUTH

Scale 200 feet to an inch

MAR. 18, 1926.

Delano & Keith, Civil Engineers

11398A
Sheet No. 2



A.
Sheet No. 1

Copy of part of plan
filed in
LAND REGISTRATION OFFICE
MAR. 20, 1926.
Scale of this plan 300 feet to an inch
C.B. Humphrey, Engineer for Court

THIS PLAN FILED WITH
ULTIMATE No. 2628

PLAN OF LAND IN PLYMOUTH

Scale 200 feet to an inch

MAR. 16, 1926.

DeLano & Keiser,
CIVIL ENGINEERS

Isaac Mayer et al
775.08
1070 ±

A.

B.

See Order

STATE HIGHWAY

1950 23

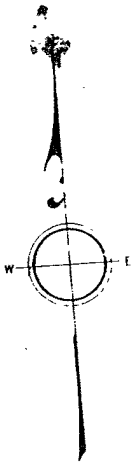
STATE HIGHWAY

1950 23

EDGE WATER MARSH

EDGE WATER MARSH

CAPE COD BAY



502.55
S. 87° 36' 40" E

1013.74
N. 5° 05' 20" E

580 ±
N. 87° 36' 40" E

Isaac Mayer et al.

THIS PLAN FILED WITH
CERTIFICATE No. 2528

Copy of part of plan
filed in
LAND REGISTRATION OFFICE
MAR 20 1926
Scale of this plan 200 feet to an inch
C.B. Humphrey, Engineer for court ✓