

DECLARATION OF A CONDOMINIUM

THE GARRISON IN DOVER, A CONDOMINIUM

Woodmaster, Inc., a New Hampshire corporation, with a place of business at Hooksett Industrial Park, Hooksett, County of Merrimack, State of New Hampshire, hereinafter called the "Declarant", hereby declares:

1. Submission and Declaration. The Declarant, owner in fee simple absolute of the land described in Exhibit A hereto, hereby submits the land, together with all buildings and improvements now existing or hereafter constructed thereon, and all easements, rights and appurtenances to said land, to the provisions of the Condominium Act, New Hampshire revised statutes Annotated, Chapter 356-B (hereafter R.S.A. 356-B), and hereby creates with respect to said property a condominium with a condominium form of ownership.

2. Definitions. As provided in R.S.A. 356-B:12(I) terms shall have the meanings specified in R.S.A. 356-B:3, except as defined in this paragraph, in the By-Laws or in the Plans.

(a) "By-Laws" means the by-laws of the Unit Owner's Association set out in Exhibit C to this Declaration attached hereto as a part hereof, as they may be amended from time to time.

(b) "Condominium Act" means New Hampshire Revised Statutes Annotated Chapter 356-B, as amended from time to time.

(c) "Land" means the real property described in Exhibit A to this Declaration, attached hereto as a part hereof, together with all easements, rights and appurtenances but exclusive of all improvements.

(d) "Owner" or "Unit Owner" means any person who owns a Condominium Unit. No mortgagee shall be deemed to be an Owner or Unit Owner merely because of rights acquired under a mortgage.

(e) "Property" means the Land and all improvements now or hereafter constructed thereon.

(f) "Site Plan and Floor Plans" or "Plans" means the plans of the Property described herein and recorded herewith.

3. Statutory Requirements. Provisions required by Section 16, I, of the Condominium Act:

(a) Name: This condominium shall be known as "The Garrison in Dover, A Condominium"

(b) Location: The condominium is located in the City of Dover, Strafford County, State of New Hampshire.

(c) Description of Land: Exhibit A contains a legal description by metes and bounds of the Land submitted to the Condominium Act.

(d) Description of Units:

(i) Buildings. The Condominium includes residential buildings containing twenty-eight (28) Units. In addition, as provided in Paragraph 4 of this Declaration,

*see comment
pk 1122 pg 328*

REGISTER OF DEEDS

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Laura D. Carey

REGISTER OF DEEDS
STRAFFORD COUNTY

Declarant has created convertible land on which an additional thirty-four (34) Units may be added. The condominium will contain a maximum of sixty-two (62) Units. The buildings are, or will be, constructed at the location and with the dimensions shown on the Plans.

(ii) Units. Each of the Units is hereby declared to be held in fee simple and may be retained, occupied, conveyed, transferred, encumbered, inherited or devised in the same manner as any other parcel of real property independent of the other individual Units. Annexed hereto and made a part hereof as Exhibit B is a list of all Units with their respective identifying numbers or Unit designations, and limited common area appurtenant thereto, if any. The location of the Units is shown on the Plan.

(iii) Unit Boundaries. Each Unit consists of the space within the following boundaries:

Horizontal Boundaries: The upper and lower (horizontal) boundaries of each Unit shall be the following boundaries extended to an intersection with the vertical boundaries:

Upper Boundary: The unfinished interior surface of the ceilings which lie directly below the building roof or below another Unit as the case may be.

Lower Boundary: The unfinished interior surface of the concrete basement floor or the unfinished interior surface of the floors which lie above another Unit as the case may be.

Vertical Boundaries: The perimeter (vertical) boundaries of each Unit shall be the vertical plane of the interior surface of all walls bounding the Unit extended to intersections with each other and with the upper and lower boundaries, together with the exterior unfinished surfaces of the window frames, door frames, doors and glass.

Each Unit includes the portion of the building within the above boundaries and the space enclosed by the boundaries, except any Common Area described in Paragraph 3 (e) below which may be located therein. The finished interior of the floors, perimeter walls and uppermost ceiling of a Unit consisting of, without limitation, all paint, paneling, wallpaper, rough flooring, finished flooring, carpeting, tiles, and any other materials constituting any part of the finishing materials and finished surfaces thereof are a part of each Unit. The Owner of a Unit owns the interior walls and partitions

