

WOODFORD LAKE ASSOCIATION, INCORPORATED

DECLARATION OF PROPERTY RIGHTS & RESPONSIBILITIES

1. PURPOSE OF DECLARATION

The purpose of this document is to declare the covenants which are incorporated in each deed for each lot within the common interest community known as Woodford Lake Estates, and located in the Town of Woodford, State of Vermont (hereinafter the Development), and to confer upon Woodford Lake Association, Incorporated (hereinafter the Association) and the owners of lots within said common interest community (hereinafter the Owners) all of the rights, duties and privileges afforded by the Vermont Common Interest Ownership Act, Title 27A of the Vermont Statutes Annotated (hereinafter the Act). This document is created pursuant to the Judgment Order of the Bennington Superior Court, entered on July 27, 2005 in the matter of *In Re: Woodford Lake Estates, Inc.*, Docket No. 344-10-02 Bncv (hereinafter the Judgement Order).

2. WOODFORD LAKE ASSOCIATION, INCORPORATED

Woodford Lake Estates, Inc. was duly organized pursuant to the applicable laws of the State of Vermont and was the unit owners' association for Woodford Lake Estates.

Woodford Lake Association, Incorporated is the successor corporation of Woodford Lake Estates, Inc. and was created pursuant to Paragraph 1 of the Judgment Order. Woodford Lake Association, Incorporated was duly organized under the applicable laws of the State of Vermont and is the unit owners' association for the Development, as that term is defined by the Act Pursuant to the Act, Woodford Lake Association, Incorporated is responsible for owning, managing, maintaining and improving the common lands, roadways and facilities of the Development.

3. DUTIES & POWERS OF THE OWNERS

Each Owner is a member of the Association and is bound by this Declaration and by the Bylaws adopted by the Association. Each owner has voting rights in the Association as allocated according to the Bylaws. The Owners have the right to use and enjoy the common lands, roadways and facilities in the Development, consistent with this Declaration, the Association's Bylaws, and the Rules and Regulations adopted by the Association. Each Owner has a duty to contribute to the costs incurred by the Association in maintaining and improving the common lands, roadways and facilities of the Development.

WOODFORD, VT TOWN CLERK'S OFFICE
RECEIVED FOR RECORD

MAY 26 2007

AT 10 O'CLOCK 30 MINUTES P.M.

AND RECORDED IN BOOK 41 PAGE 339-344

ATTEST:  TOWN CLERK

FILED

MAY 21 2007

BENNINGTON SUPERIOR COURT
BENNINGTON, VT 05201

4. DUTIES & POWERS OF THE CORPORATION

The Association shall have those legal rights, authority and responsibilities to govern as provided to a unit owners' association under the Act and Vermont Law, as amended from time to time, including but not limited to Section 3-102 of the Act. By way of specification, but without limitation, the Association shall have the following rights, authority and responsibilities:

- A. to amend this Declaration in a manner consistent with the Act and to adopt and amend its Bylaws;
- B. to adopt and amend Rules and Regulations to regulate behavior consistent with the Declarations or protect the Owners' use and enjoyment of their lots;
- C. to initiate, defend or intervene in litigation or administrative proceedings in its name on behalf of itself or two or more unit owners on matters affecting the common interest community;
- D. to make contracts and incur liabilities;
- E. to regulate the use, maintenance, repair, replacement and modification of common elements;
- F. to make additional improvements to the common elements;
- G. to acquire, hold, encumber and convey in its name any interest to real estate or personal property, except as provided by section 3-112 of this title;
- H. to grant easements, leases, licenses and concessions through or over the common elements;
- I. to impose fees or charges and to receive payments for the use, rental or operation of the common elements, and for services provided to unit owners;
- J. to set schedules for said fees and charges that are based upon such reasonable classifications or distinctions as the Association deems proper; said fees and charges need not be uniform;
- K. to impose charges for late payment of assessments and, after notice and a hearing, reasonable fines for violations of the declaration, bylaws and rules and regulations of the association;

- L. to impose reasonable charges for the preparation and recordation of amendments to the declaration, resale certificates or statements of unpaid assessments;
- M. to provide indemnification for its officers and executive board and maintain liability insurance for its officers and directors;
- N. to exercise any other power conferred by the Declaration or Bylaws, or which is legally provided for similar entities or which is necessary and proper to govern and operate the association;
- O. to require, by regulation, that disputes between the executive board and unit owners or between two or more unit owners regarding the common interest community must be submitted to nonbinding alternative dispute resolution in the manner described in the regulation as a prerequisite to commencement of a judicial proceeding.
- P. to collect past due annual fees assessed by Woodford Lake Estates, Inc., consistent with the provisions of the Judgment Order;
- Q. to provide reasonable road maintenance of the common roadways within the Development. Beginning on June 1, 2007, and not before, road maintenance shall include reasonable snow plowing of the private roads within the Development; and
- R. to determine and charge a reasonable fee for road maintenance, either separately or as part of any other fees the Association assesses.

5. COVENANTS

A. Definitions

1. "Woodford Lake Estates" shall mean the "planned residential community created by the United Development Corporation in 1948 by the recording of a plat map¹ of Woodford Lake Estates in the Woodford Town Records."

2. "Such premises," as used in this section, shall mean "a unit within Woodford

¹ The Plat Map is titled: "Proposed Plan of Woodford Lakes Estates, Woodford, Vermont, United Development Corporation, Surveyors, 124 State Street, Springfield, Massachusetts" and dated November 3, 1949 and written in the office of the Town Clerk in Woodford, Vermont in Book of Plan #20 Page 85-A."

Lake Estates.”

3. “The grantor,” as used in this section, shall mean “United Development Corporation, Woodford Lake Estates, Inc., and/or Woodford Lake Association, Inc.”

B. Covenants

1. Any buildings to be erected on said premises are to comply with valid State and municipal ordinances.
2. All sewage and sanitary arrangements must comply with State and local Health Ordinances.
3. No animals shall be kept or maintained on said premises except household pets.
4. Said premises shall not be used for any commercial or manufacturing purposes of any kind.
5. Any building with a wood exterior must be stained or painted with at least two coats of paint or stain, and no tar paper exterior finish shall be used.
6. No old buildings or structures shall be placed or maintained on said premises without the approval in writing of the grantor herein, or its successors or assigns.
7. There shall be erected on said premises no more than one single family dwelling house, nor more than one other building for garage or storage purposes. Any building for garage or storage purposes shall conform generally in appearance and materials to the dwelling.
8. There shall be no building, porch, or projection extending nearer than twenty (20) feet from the front line of any lot, or within ten (10) feet from the property line of any abutting property owner.
9. There shall be no dwelling house containing less than four-hundred (400) square feet erected or constructed on any lot.
10. The covenants contained herein shall be for the benefit and protection of the grantor, its successors and assigns, and enforceable forever at the behest of the grantor, its successors and assigns.

6. ENACTMENT OF DECLARATION

A. Woodford Lake Estates, Inc.

This is to certify that Spinda S. McLaugh am the duly elected and acting Secretary of Woodford Lake Estates, Inc., a Vermont corporation with a place of business in Woodford, Vermont, and that on the 28 day of November, 2005 at a duly noticed and constituted meeting of the Board of Directors of Woodford Lake Estates, Inc., the Board unanimously approved and adopted these Declarations, as required by the Judgment Order entered by the Bennington Superior Court on July 27, 2005 in the matter of *In Re: Woodford Lake Estates, Inc.*, Docket No. 344-10-02 Bncv.

Woodford Lake Estates, Inc.

IN THE PRESENCE OF:

BY: Spinda S. McLaugh
Secretary

Kelly S. McDubois
Witness

B. Woodford Lake Association, Incorporated

This is to certify that Spinda S. McLaugh am the duly elected and acting Secretary of Woodford Lake Association, Incorporated, a Vermont corporation with a place of business in Woodford, Vermont, and that on the 28 day of November, 2005 at a duly noticed and constituted meeting of the Board of Trustees of Woodford Lake Association, Incorporated, the Board unanimously approved and adopted these Declarations, as required by the Judgment Order entered by the Bennington Superior Court on July 27, 2005 in the matter of *In Re: Woodford Lake Estates, Inc.*, Docket No. 344-10-02 Bncv.

Woodford Lake Association, Incorporated

IN THE PRESENCE OF:

BY: Spinda S. McLaugh
Secretary

Kelly S. McDubois
Witness

41-2411

STATE OF VERMONT
BENNINGTON COUNTY, SS.

U.S. DEPARTMENT OF JUSTICE
NOTARY PUBLIC

At Bennington, this 28th day of November 2012, Linda G. DeGraff
personally appeared before me and acknowledged that he/she is the duly authorized agent of
Woodford Lake Estates, Inc. and that this instrument, by him/her sealed and subscribed is his/her
free act and deed and the free act and deed of Woodford Lake Estates, Inc.

Before me, Marcin J. Garmalo
Notary Public

April 19, 2013
Commission Expires

LAW OFFICES OF
JACOBS, McCLINTOCK & SCANLON
BENNINGTON, VERMONT 05201

STATE OF VERMONT
BENNINGTON COUNTY, SS.

U.S. DEPARTMENT OF JUSTICE
NOTARY PUBLIC

At Bennington, this 28th day of November 2012,
Linda G. DeGraff personally appeared before me and acknowledged that he/she is
the duly authorized agent of Woodford Lake Association, Inc. and that this instrument, by him/her
sealed and subscribed is his/her free act and deed and the free act and deed of Woodford Lake
Association, Incorporated.

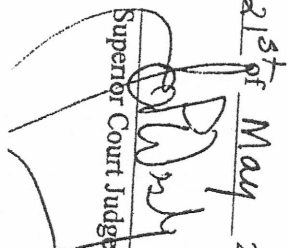
Before me, Marcin J. Garmalo
Notary Public

April 19, 2013
Commission Expires

8. DECLARATION APPROVED BY BENNINGTON SUPERIOR COURT

When recorded in the Town of Woodford Land Records, this Declaration by Woodford Lake Estates, Inc., and its successor corporation, Woodford Lake Association, Incorporated, satisfies Paragraph 6 of the Judgment Order issued by the Bennington Superior Court on July 27, 2005 for *In Re: Woodford Lake Estates, Inc.*, Docket No. 344-10-02 Bncv.

Dated at Bennington, Vermont, this 21st of May 2007.


Superior Court Judge

John P. Wesley

I certify this document to be
a true copy of the original on
file in the Bennington Superior
Court, Bennington, Vermont.

This 23rd day of May 2007

~~Sherril~~ Deputy Clerk

