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Please reply to Springfield office

October 1, 2007

Doverbrook Estates Condominium Trust
c/o Appleton Corporation
Attn: Joanne C. Gagnon
57 Suffolk Street, Suite 200
Holyoke, MA 01040

RE: *Doverbrook Estates*

Dear Joanne:

Regarding the Trustee's concerns regarding allowing sun rooms to be added onto units, I have the following opinions:

1. Since the sun rooms are to be added to common areas, the sun rooms cannot be made a part of a unit without a Deed from 100% of the unit owners in the condominium complex since each of the unit owners owns the common areas in common with all of the unit owners in the condominiums in accordance with their percentage interest.
2. Therefore, in order to convert common areas into a unit, there would need to be a deed from 100% of the unit owners and releases of mortgages from every mortgage holder. This appears to be very impractical and probably impossible to obtain.

Another option for the Board would be for the Board of Trustees to grant an exclusive easement to particular unit owners to add sun rooms pursuant to Massachusetts General Laws Chapter 183A Section 5. However, it is my opinion that we would have to amend the current By-Laws of Doverbrook Condominium Association because the current By-Laws of the Association conflict with Massachusetts General Laws Chapter 183A Section 5.

Currently, the By-Laws of the Association Section 5.1(b), under the powers of the Trustees, limits the Trustees ability on common areas and facilities only

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to grant easements for public utilities or for other public purposes consistent with the intended use thereof or to dedicate as public ways and convey to the City of Chicopee, all or any part of the roadways included therein. This specific provision seems to limit the ability of the Trustees to deal with the common areas and facilities to only allow those particular types of easements. In addition, Paragraph 5.1(e) also puts a limitation on the common areas that easements be limited to community and commercial facilities, this would also conflict with Chapter 183A Section 5.

Therefore, I believe we would need to amend the By-Laws of the Association by deleting in Section 5.1(b) the bracketed material and by deleting the bracketed material in Section 5.1(e), and adding in 5.1(e) after the words concessions or exclusive easements in accordance with Massachusetts General Law Chapter 183A Section 5. If these amendments were passed, then it would be consistent with Chapter 183A Section 5 and an exclusive easement or limited common area could be granted to individual unit owners pursuant to the terms of Chapter 183A Section 5. However, in order to Amend the By-Laws, you will need consent in writing of unit owners owning 75% of the beneficial interest, plus a majority of the Trustees plus two-thirds of the mortgage holders holding first mortgages on units to amend the By-Laws.

Provided you are able to amend the By-Laws, pursuant to Massachusetts General Law, Chapter 183A Section 5B2(ii) the Board has the ability to grant to a designated unit owner the right to use, whether exclusively or in common with other unit owners, any limited common area and facility whether or not provided for in the Master Deed upon such terms as deemed appropriate by the governing body of the organization of unit owners; provided, however, that consent has been obtained from (a) all owners and first mortgagees of units shown on the recorded condominium plans as immediately adjoining the limited common area or facilities so designated, and (b) 51% of the number of all mortgages holding first mortgages on units within the condominium who have given notice of their desire to be notified thereof is provided in subsection 5 of Section 4 (Chapter 183A). In such case, "if a limited common area facility shall directly and substantially impede access to any unit, the consent of the unit owner of such unit and its first mortgagee, if such mortgagee has requested notice as aforesaid shall be required. Such grant or designation of acceptance thereof shall be effective thirty (30) days following the recording, within the chain of title, of the Master Deed or the Declaration of Trust or By-Laws of an instrument duly executed by the governing body of the organization of unit owners and the grantee or designee and his mortgagees which instrument shall accurately designate, depict and describe the area effected and the rights granted and designated, and shall recite compliance with the requirements of this subsection. Such grant or designation will be considered an appurtenant to the

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subject unit and shall be deemed to be conveyed or encumbered with the unit even though such interest is not expressly mentioned or described in the conveyance or instrument."

Therefore, if the Amendment does pass the Board would have to obtain the consents of all the abutting unit owners to the area where the sunroom would be added. The adjoining unit owners would probably be unit owners to the sides or the rears of the unit that would in any way abut the unit plus any mortgagees who consent. Once you have obtained their consents, you the Board and the unit owners would be required to record an instrument with the Hampden County Registry of Deeds in the chain of title. You would also need the consent of 51% of all mortgagees holding first mortgages on the units.

It is my suggestion that with respect to the sunroom additions, that if the board decides to go forward with this process and obtains all of the proper consents, that a policy be set forth for the addition of sunrooms which would deal with the issues of the specifications that the sunrooms would have to meet specifically on how the sun rooms would be attached to the exterior of the buildings the specifications with respect to removal of or changes to the entrances to the units as they relate to the access between the sun room and the unit and the alteration of any walls or door ways. The specifications should also designate what type of foundations to support the sunrooms must be installed, the specific dimensions should be set forth and any electrical and/or heating connections for the sun room should be specifically addressed. In addition, the specifications should require detailed plans be submitted to the Board and require that any contractor working on the installation of sun rooms must be approved by the Board and that any contractor working on the sun rooms should carry proper liability insurance as well as proper licenses and workmen's compensation insurance and hold the condominium harmless from any and all claims from mechanics liens or materialmen's liens with respect to the additions of the sunrooms. The approval should specifically state that the sunrooms are installed at the sole risk and expense of the unit owner doing such installation and that the unit owner will be responsible to insure said sun rooms in the future or to reimburse the condominium association for the extra costs for insuring such sun rooms and also provide that the unit owner will be responsible for the maintenance, repair or replacement of the sun room and that it will be maintained in accordance with all building codes at all times in a neat and clean manner and the Board should have the right but not the obligation to do any repairs or maintenance that a unit owner fails to complete and pass on such cost to the unit owner as a special common charge.

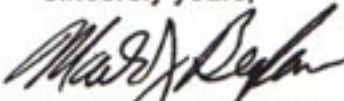
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I enclose herewith a copy of Massachusetts General Laws Chapter 183A Section 5, with the appropriate sections highlighted for your information.

If you have any questions, please call.

Sincerely yours,



MARK J. BEBLANE

MJB/gjz
Enclosures
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