

**EAST BAY DESIGN COMMONS CONDOMINIUM
SECOND AMENDMENT
OF
DECLARATION**

This Amendment of the Declaration of the East Bay Design Commons Condominium dated December 1, 2005, recorded in the Land Evidence Records of the Town of Portsmouth, Rhode Island in Book 1167, Page 1, as amended by the First Amendment of Declaration, recorded in the Land Evidence Records of the Town of Portsmouth, Rhode Island in Book 1243, Page 289.

WHEREAS, East Bay Design Commons, Inc., as the Declarant, by Declaration created the EAST BAY DESIGN COMMONS CONDOMINIUM (hereinafter sometimes call the condominium), situated in Portsmouth, Rhode Island; and

WHEREAS, said Declaration reserves to the Declarant certain rights to amend the said Declaration to add units in subsequent phases and subphases and, as provided therein, the percentage of undivided interests in the common elements shall be reduced accordingly; and

WHEREAS, the construction of the unit in Subphase 2B as shown on the Plan attached hereto and incorporated herein by reference as Exhibit A has been completed and the Declarant desires to include Subphase 2B in the condominium.

NOW, THEREFORE, East Bay Design Commons, Inc., a Rhode Island corporation, being the Declarant as aforesaid, by duly executing and recording this Second Amendment of Declaration, does hereby submit as Subphase 2B, Unit 101 and the improvements thereof and thereon which serve Subphase 2B and other phases of the condominium, and shown as Subphase 2B on said Exhibit A, and does hereby create Subphase 2B of the condominium and does hereby include Subphase 2B in the condominium, to be governed by and subject to the provisions of the Rhode Island Condominium Act. Upon the recording of this Second Amendment of Declaration creating Subphase 2B of the condominium, each unit in Phase I, in Subphase 2A, and in Subphase 2B of the condominium shall be entitled to an undivided interest in the common elements of the condominium in the percentage determined pursuant to the provisions of

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the Declaration and as specified in Exhibit B attached hereto and incorporated herein by reference. From and after the inclusion of other subphases and phases of this condominium, the percentages to which such units are entitled shall be reduced accordingly. Each of the Units and the common elements in Subphase 2B shall be subject to the terms and provisions of the Declaration, Bylaws, and any and all rules and regulations promulgated pursuant thereto, as they may be amended from time to time.


Article VIII of the Declaration is hereby amended by adding the following Section 8.1.1:

No Units other than Unit 101, 107 and Unit 112 in Building No. 100 shall be used for child and adolescent learning and psychological services, including child and adolescent psychological, neuropsychological and behavioral evaluations, child and adolescent counseling, child and adolescent therapy, child and adolescent tutoring, and child and adolescent learning, education or testing support and skill development. This restriction shall not prohibit a medical doctor (MD) or other medical office from treating any patient, provided that said physician or medical office does not specialize or concentrate in neuro-development or any of the fields described above and also does not employ staff members specializing or concentrating in the same. The limitation described in this Section 8.1.1 shall not be amended or deleted without written approval of the owner of Unit 107 and the owner of Unit 101. No such amendment shall, however, subject Unit 112 to any such limitation.

The Declaration may be further amended as provided therein. All terms and provisions of said Declaration shall remain in full force and shall be applicable to and shall govern all units and the owners thereof and are hereby incorporated by reference into this Second Amendment.

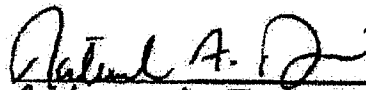
IN WITNESS WHEREOF, the Declarant has set its hand and seal this 30th day of January, 2007.

EAST BAY DESIGN COMMONS, INC.

By: 
Paul J. Morelle, President

State of Rhode Island
County of Providence

In Woonsocket, in said County and State, on this 30th day of January, 2007, before me personally appeared Paul J. Morelle, President of East Bay Design Commons, Inc., a Rhode Island corporation, to be known and known by me to be the person executing the foregoing instrument, and he acknowledged the same to be his free act and deed and his free act and deed in his capacity as President of East Bay Design Commons, Inc.



Nicholas A. Taylor
Notary Public
My commission expires: 7/11/09