

TOWN HOUSE ESTATES OF NORTON
HANDBOOK FOR OWNERS AND RESIDENTS

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A: WHAT IS A CONDOMINIUM?

The term condominium may be defined generally as a system of separate ownership of individual units in multi-unit projects. The owner of a condominium unit owns not only the unit described in his deed but also an undivided interest in the "common areas and facilities" of the condominium which may be defined generally as those facilities which serve all owners of the units in the condominium. These facilities may include land, driveway, walkways, lobbies, exterior foundations, exterior walls, exterior roofs, piping and mechanical systems serving the entire building, swimming pools and elevators. The common areas for your complex are specifically defined in the Master Deed.

There are certain expenses for the overall operation of the condominium for such things as electricity, water, and maintenance of the grounds, maintenance of the building, personnel and insurance. These are called common expenses and are shared by all of the unit owners according to each owner's respective percentage interest in the building, this percentage interest, known as the beneficial interest, has been predetermined based on the value assigned to each unit. Such common expenses are paid on a regular basis (usually monthly) directly to the Trust.

In many respects, ownership of a condominium unit is not different from ownership of a single family home. Instead of owning a house and land, the condominium unit owner owns his or her unit, together with the percentage interest in the common areas. Like the owner of a house, the condominium owner may mortgage his or her unit independently of any neighbor. During this interim period, each unit will be assessed based on the assessment for the total building prorated by each owner's percentage interest.

A condominium becomes an effective organization upon the recording with the Registry of Deeds of the Declaration of Trust, Master Deed, By-laws and any plans required by the provisions of Chapter 183 A of the General Laws of the Commonwealth of Massachusetts.

B: CONDOMINIUM DOCUMENTS

As noted, Town House Estates of Norton has been created and is governed by the recording with Bristol County Registry of Deeds. A brief description of these and related documents is set Master Deed. The Master Deed is the basic legal document submitting the property to condominium status and providing for the administration of the condominium. Chapter 183A of the general laws designates with particularity the required contents of this document, which include complete descriptions of the land and building to be dedicated to the condominium use and of common elements and the proportionate interest of each unit therein, floor plans, a statement of the purpose for which the building and units are intended, the method of amending the Master Deed and the name of the organization which will manage and regulate the condominium. The Association itself is governed by a committee known as the Board of Trustees elected by and from the unit owners.

Unit Deed: The unit Deed is the instrument by which a unit must contain all the normal elements of a deed. In addition, Chapter 183 A requires that it include a reference to the condominium, a description of the land or the address of the property, the designation of the unit in the Master Deed, a statement for the uses for which it is intended and any restriction on its use and the interest of the unit in the common elements of the condominium. Note that the initial deed of each unit must also have attached a copy of the floor plans recorded with the Master Deed showing the designation of the unit being conveyed and adjacent units and depicting the layout, location, dimensions, approximate area, main entrance to the unit as well as the immediate common area to which it has access.

By-laws of The Trust: In contrast to the Master Deed, which is limited to a description of the basic structure of the condominium, the By-laws set forth the day-to-day operating rules and regulations under which the condominium will be run. The By-laws may provide:

1. The method of providing for the necessary maintenance, repair and replacement of the common elements and payments thereof.
2. The manner of collecting from the unit owners their shares of the common expense.
3. The procedure for hiring all personnel, including whether or not a managing agent should or may be engaged.
4. The method of adopting and amending the administrative rules and regulations governing the details of the operation and use of the common elements.
5. Such restrictions on and requirements respecting the use and maintenance of the units and the use of the common elements not set forth in the Master Deed.
6. The specific requirements for obtaining funds for the repairs, maintenance, and upkeep of the common areas which are to be financed by all unit owners through a regular or special assessment paid to the Trust in accord with each unit's percentage interest. It should be noted that each owner's share of these expenses constitutes a lien upon the owner's interest in common elements. This provides the Trust with the necessary means to assure collection of the common funds.

In addition to the various provisions required by law, the By-laws include many other provisions deemed necessary for the management and regulation of the Trust. These include items such as procedures following in the case of reconstruction after a fire or casualty or in the case of condemnation, as well as items based on the needs and characteristics of the condominium.

C: FORMAL STRUCTURE OF THE CONDOMINIUM

- Master Deed & Condominium Trust: Town House Estates of Norton was established by a Master Deed dated July 18, 1980 which is recorded in the Bristol County Registry of Deeds in Book 2025, Page 136 established under a Declaration of Trust dated December 1, 1980 which is also recorded at the Bristol County Registry of Deeds in Book 2065, Page 232.

- Property Description:

The condominium property is divided into 30 residential units. The legal address is 137, 139, 141, 143, and 145 Burt Street, Norton, MA 02766.

The condominium property contains common areas in which the unit owners hold an undivided interest and which is owned by Town House Estates of Norton. These common areas basically consist of grounds and utility mains. For a detailed description of the exact common areas please refer to your Master Deed.

The Trust is governed by the provisions of Chapter 183A of the General Laws of the Commonwealth of Massachusetts, and by the various articles of the Trust.

D: INITIAL OCCUPANCY

The process of moving in needs to be addressed carefully, as there is many details to coordinate which can make for smooth sailing or for rough seas.

KEYS: Keys should be delivered to you at the time of closing by the seller. Be sure to receive a unit door key.

SERVICES: You should notify all utility services to switch over the meters to your name as of the day following closing.

TELEPHONE: Telephone service should be notified 10 days in advance of your move-in date to have your phone service initiated.

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MAIL: You should notify the U.S. Post Office of your new address. It is advised to notify them two weeks in advance to allow for new delivery. Be sure to notify Management of the exact name(s) you would like on the directory.

GENERAL: It is very important to provide the management company, upon your arrival at the building, with the following information; names of permanent residents, unit phone number, business (day) phone number, emergency contacts, auto information (description & plate #). The management company should also be notified whenever this information changes.

MOVE IN/OUT PROCEDURES: Your anticipated move-in/out date must be given to management as early at least one week in advance of your move. Any damage that is caused to the building or grounds as a result of moving in/out will be repaired at the owner's expense, and will be due and payable within 30 days.

E: GOVERNANCE

The By-laws of the Condominium Trust provide that the management of the property will be regulated by an elected Board of Trustees. These Trustees represent the interest of the unit owner and have been chosen to maintain the economic and physical condition of the condominium.

- The Board of Trustees:

The Board consists of five Trustees. The annual unit owners meeting is held in November. At this meeting vacant positions on the Board are filled and the operating budget for the following year is presented. This meeting is an occasion at which all unit owners are assembled to discuss the past, present and future operation of the condominium. Additional specific projects or to provide a general update of the activities of the condominium.

The present Trustees are:

Gary Bushey Unit# 145-3 Brian Peterson Unit# 137-6 Mark Flicop Unit# 143-3

Alternates:

The Board of Trustees consists of non-paid volunteers who donate their time to the running of the property. The positions are filled by vote from the unit owners at the annual unit owners meeting. According to the Declaration of Trust, Article V, of By-Laws the Board of Trustees is given very specific powers in dealing with the Trust property. The overall role of the Trustees is to protect, maintain and enhance the property through sound business decisions made after they have had the chance to review information presented to them from the managing agent or other consultants hired by them. They also direct the managing agent in its responsibilities at the property.

F: MANAGEMENT

The Board has engaged the services of **FIRST CHOICE PROPERTY MANAGEMENT, INC.** as the Managing Agent for the Trust. First Choice works under the direction of the Trustees to carry out the actual management and maintenance responsibilities. Included in these responsibilities are the collection of the Common Area Charges (condominium fees), maintenance of the common areas (grounds, roof, main mechanical systems...), and restoration projects as needed. If you have a problem which you believe is a common area problem or which will affect the common areas, you should contact the property manager.

- Management office address and phone number:

FIRST CHOICE PROPERTY MANAGEMENT, INC. 48 Hamlet Avenue •
Woonsocket, RI 02895
Phone (401) 765-7300 • Fax (401) 762-0142
<http://www.firstchoicepropertymanagementri.com>

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In order for First Choice to respond to a concern, every maintenance call must be placed through the office. Please do not request condominium services from the Trustees. Regular business must be taken up during the standard work week, however, if you have an emergency that requires immediate attention, contact First Choice at (401) 765-7300 and the answering service will contact the property manager or the on-call property manager, who in turn will contact you directly. This service is available 24 hours a day, seven days a week for emergencies. When calling in an emergency please be sure to leave your name, phone number and a brief description of the situation.

G: CONDOMINIUM FEES/COMMON AREAS CHARGES (CAC)

The cost to operate the condominium is paid monthly by every unit owner according to his/her percentage beneficial interest in the property. This interest is specified in the Master Deed. The Condominium Trust is a nonprofit organization which is dependent upon fee income to pay its bills. Each month these fees (CAC) are collected and bills are paid. Payments must be made promptly on or before the first of every month.

All payments should be made out to "Town House Estates of Norton" and mailed to:

FIRST CHOICE PROPERTY MANAGEMENT, INC.
48 Hamlet Avenue • Woonsocket, RI 02895

To assure proper credit, mark your unit number on the check. **DO NOT** make payment out to First Choice.

• **LATE FEE POLICY:** In accordance with the powers vested in the Trustees under Article 5.4c of The Town House Estates of Norton By-Laws, the following procedures will apply in any cases where a unit owner does not make his/her payment of maintenance fees and assessments in a timely manner:

1) All common area payments are due on the first of each month for that month. 2) If payment is not received by the 10th day of the month, a late charge of \$?? will be added to the account of the delinquent unit owner. See rule # ??.

3) If payment has not been received by the 30th day from the original due date, legal action may also be initiated. In addition to the amount owed in fees and late charges, the Trust will seek to recover all legal costs associated with the action taken against the delinquent owner.

H: GENERAL PROCEDURES

TRASH REMOVAL: Each parking lot of Town House Estates of Norton has its own trash dumpster. All trash must be bagged securely in plastic bags and placed in the dumpster. Trash is removed from the trash dumpsters weekly. Large items such as boxes or unusually large bags of trash should be flattened and placed inside the dumpster. In addition, all packing materials from move-ins or deliveries should also be taken directly out to the dumpster. A trash removal company picks up trash once a week. Additional collection is arranged on an as needed basis, i.e.: washers/dryers/furniture etc. If there is an additional charge from the Trash Company, then that fee will be charged back to the unit owner.

PARKING: Overnight street parking is not permitted within Town of Norton. Each unit at Town House Estates of Norton has 2 (two), deeded reserved parking spaces for the exclusive use of the residents of that unit and their guests. There are official visitor spaces. These spaces are for guests only. However, they can be used on a temporary basis for residents to load and unload their vehicles. Please assist the

management company in maintaining control of the parking area by advising your guests which spaces to use. Vehicles parked in unauthorized parking spaces will be subject to tow. See rule 20 and 22 for additional parking information.

MAIL AND DELIVERIES: Mailboxes are located at the entrance of each parking lot.

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When making arrangements for a delivery make certain that the delivery company has the appropriate insurance. Both the delivery company and the resident are responsible for any damage to the common areas which occur during a delivery or pick-up.

- **HEATING AND COOLING SYSTEM:** Each unit has an individual gas fired, forced hot air furnace with remote electric air compressor for air conditioning. The duct system circulates air for both heating and cooling and is controlled by a thermostat. The electricity to each unit is individually metered. Consult your owner's guide for detailed operating instructions.

To properly maintain the heating unit, it is suggested that the filter be cleaned every month. The filter is located at the base of the unit and slides out. If needed, replacement filters can be purchased at a local hardware store.

If you vacation during the winter remember not to turn your furnace off. Just turn the thermostat setting to not less than 55 degrees, otherwise the pipes can freeze and burst.

- **FIRE PREVENTION / CO2 SYSTEM:**

Owners must provide

EXTERMINATION: As a preventive measure, the building is annually checked for termites. If you suspect that you may have a problem with pests, call the managing agent to schedule an appointment with the exterminator. If you would like to have your unit treated at some other time rather than the regular time, this can be arranged but at an additional cost. Contact the Management Office for details.

SUPERINTENDENT: There is no superintendent for our property. Any maintenance concerns or questions are to be directed to the managing agent. As in a private home, you are responsible for the repair and maintenance of your condominium. A list of vendors is available through the management company.

Common areas maintenance concerns or service requests should be reported to the management company. When residents approach staff members with requests, the requests can be inadvertently forgotten or lost.

PETS: No more than 2 (two), cats per unit are allowed at Town House Estates of Norton. See rule # 27 for additional information.

DECKS AND PATIOS: Your deck or patio area is considered common area, with the owner possessing exclusive right of use. Each owner is responsible for the condition of their area. During the winter season, please remove or secure any lawn furniture. Your deck or patio area is not a storage area for tires, bicycles or the like. The fore mentioned can be unsightly and offensive to fellow neighbors. Please remember to remove and or secure any lawn furniture, planters, etc. from decks and patios that may be blown about.

NOISE: Sounds can carry through the building and often are heard in the units remote from yours. This can be minimized by locating your television, stereos and radios as far away from the windows as possible. Speakers may not be placed in the windows. As a courtesy to others, please keep the volume of your television, stereos and radios at a reasonably low level to avoid disturbing your neighbors, particularly after 11:00 pm.

- **IMPROVEMENTS, ALTERATIONS OR ADDITIONS TO UNITS:** Pursuant to Section 5. 7. of the Declaration of Trust, it is incumbent upon each unit owner to inform

the Board of Trustees and seek prior written consent from the Board each and every time the unit owner plans to make an improvement, addition or alteration in or to his/her unit or any portion of the common areas or facilities to which he/she has the exclusive use, which may affect the appearance, structure or mechanical systems of the condominium, or which is otherwise restricted by the Master Deed.

IX. EMERGENCY PROCEDURES

• **GENERAL INFORMATION** It is VERY IMPORTANT that you and your family become familiar with the safety features of the building and practice evacuation in the event of a fire emergency. Take note of the nearest exit in your unit.

• **FIRE**

If a fire breaks out, call the fire department and escape quickly. If the fire is in your unit close the door behind you as you leave. This will keep the fire from spreading quickly.

If you hear the smoke alarms sound in your unit NEVER assume that it is a false alarm, always implement your plan of evacuation.

The Norton Fire Department can provide you with many free pamphlets. The Board of Trustees, the management company and the Fire Department strongly encourage you to make use of this information. If a member of your family is handicapped, or has some other condition that may make a quick evacuation difficult, it is important to notify the fire department and the management company.

• **WIND STORMS** It is advisable to properly secure or totally remove all patio furniture and fixtures that may be susceptible to being blown about.

• **WATER LEAKS**

Leaks from plumbing fixtures (i.e. faucets, toilets, washing machines, water heaters, etc.) inside the unit can create seriously damaging effects to other units or common area. If you discover a leak and you need to turn off the water source to your unit, there should be a valve near the water meters that will shut off water coming to your unit. You should also notify the management company immediately. Leaks from rain storms for the most part can only be cured when the rain has stopped and the affected area has been able to dry. If during a storm you are getting some water notify the management company. If it is not a serious leak then you may be directed to place buckets and towels to the affected areas until someone can respond. You can help the manager on call determine whether you feel it necessary to have someone respond immediately.

• **NO HEAT, NO HOT WATER** Each unit has an individual heating and hot water system. If these units are not properly maintained they may prematurely fail. Please keep in mind that each unit owner is responsible for the maintenance and repair of the heating and air conditioning equipment and the hot water system. The property manager may be able to provide you with companies equipped to handle these situations. However, a call to the gas company may be a good place to start.

• **NO ELECTRICITY**

Within each unit there are electrical panels that contain a number of circuit breakers. Occasionally these circuit breakers may trip cutting off power to a particular room or appliance or the whole unit. They usually can be reset at the box with the unit. If they keep tripping, the circuit breaker may be faulty or the circuit may be overloaded. The maintenance and repair of the electrical system within the unit is the responsibility of the unit owner.

X. MISCELLANEOUS TELEPHONE NUMBERS

EMERGENCY NUMBER'S:

Police, Fire, Medical Emergency: 911

National Grid: Customer Service: 1-800-322-3223; Power Outages and Emergencies: 1-800-465-1212

Comcast: 1-800-266-2278

Poison Control: 1-800-222-1222

First Choice Property Management: (401) 765-7300

Columbia Gas: 1-800-882-5454 Billing 1-800-842-6847 Gas Leaks (EMERGENCY)

INSURANCE: Gencorp. (401) 884-7800