

**SECOND AMENDMENT
TO
DECLARATION OF RESTRICTIONS AND EASEMENTS**

HAWTHORNE PARK LLC, a Massachusetts limited liability company with a usual business address in care of Blue Flag Development LLC, 105 Newbury Street, 4th Floor, Boston, Massachusetts 02116, being the Developer under that certain Declaration of Restrictions and Easements, dated as of July 14, 2017, registered with Nantucket Registry District as Document No. 156038, as amended by First Amendment to Declaration of Restrictions and Easements dated September 19, 2020, registered with Nantucket Registry District as Document No. 163168 (the "Declaration") and as the Owner of Lots 65, 68, 69, 73, 74, 77, 78, 81, and 82 on Land Court Plan No. 14973-P, by virtue of Certificates of Title Nos. 26517, 26345, 26056, and 26090, hereby amends the Declaration pursuant to the provisions of Section 7.01, Amendment, of Article Seven, General, of the Declaration as follows:

1. Section 3.03, Driveway Restrictions, of Article Three, Restrictions, of the Declaration is deleted and replaced in its entirety with the following new Section 3.03:

3.03. Driveway Restrictions. All driveways shall contain a driveway apron and otherwise be in compliance with the requirements of By-law §139-20.1. No driveways shall be constructed upon any Member Lot, except the six (6) driveways shown on the Easement Plan, three (3) on Hawthorne Lane and three (3) on Hummock Pond Road; provided, however, that it is the purpose and intent of this restriction to limit the number of driveway accesses

to the Member Lots and not to restrict the actual configuration of any driveways and parking areas that might be constructed within the Member Lots, except to the extent that such driveway accesses and parking areas must conform to the provisions of By-law §139-20.1 and any other provision of this Declaration of Restrictions and Easements.

2. Subsection (d) of Section 4.03, Driveway Easements, of Article Four, Restrictions, of the Declaration is deleted and replaced in its entirety with the following new Subsection 4.03(d):

(d) Lot 73 and Lot 74 shall share one (1) driveway from Hummock Pond Road, and the Owners of each of said Lots shall have a permanent, non-exclusive easement over so much of the other said Lots as is located within the easement area as shown on the Easement Plan. In addition to the foregoing easement, and not in lieu thereof, Lot 73 shall have a permanent, non-exclusive easement over that portion of Lot 74 shown as "Expanded Access Easement Lot 74" on the plan entitled, "Exhibit A Driveway Easement," drawn by Blackwell & Associates, Inc., dated January 29, 2020, a copy of which is attached hereto as Exhibit A (the "Exhibit A Plan"), and Lot 74 shall have a permanent, non-exclusive easement over that portion of Lot 73 shown as "Expanded Access Easement Lot 73" on the Exhibit A Plan.

In all other respects, except as amended hereby, the Declaration remains in full force and effect.

Executed and sealed as of January 28, 2020.

HAWTHORNE PARK LLC

By:

Alfred Sanford, as Manager

COMMONWEALTH OF MASSACHUSETTS

, ss.

On this ____ day of January, 2020, before me, the undersigned notary public, personally appeared Alfred Sanford, as Manager of Hawthorne Park LLC, personally known to me to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily as his free act and deed, for its stated purpose as Manager of said LLC.

Notary Public

Printed name:

My commission expires:

EXHIBIT A

Exhibit A Driveway Easement

CURRENT ZONING CLASSIFICATION:
Residential 20 (R-20)

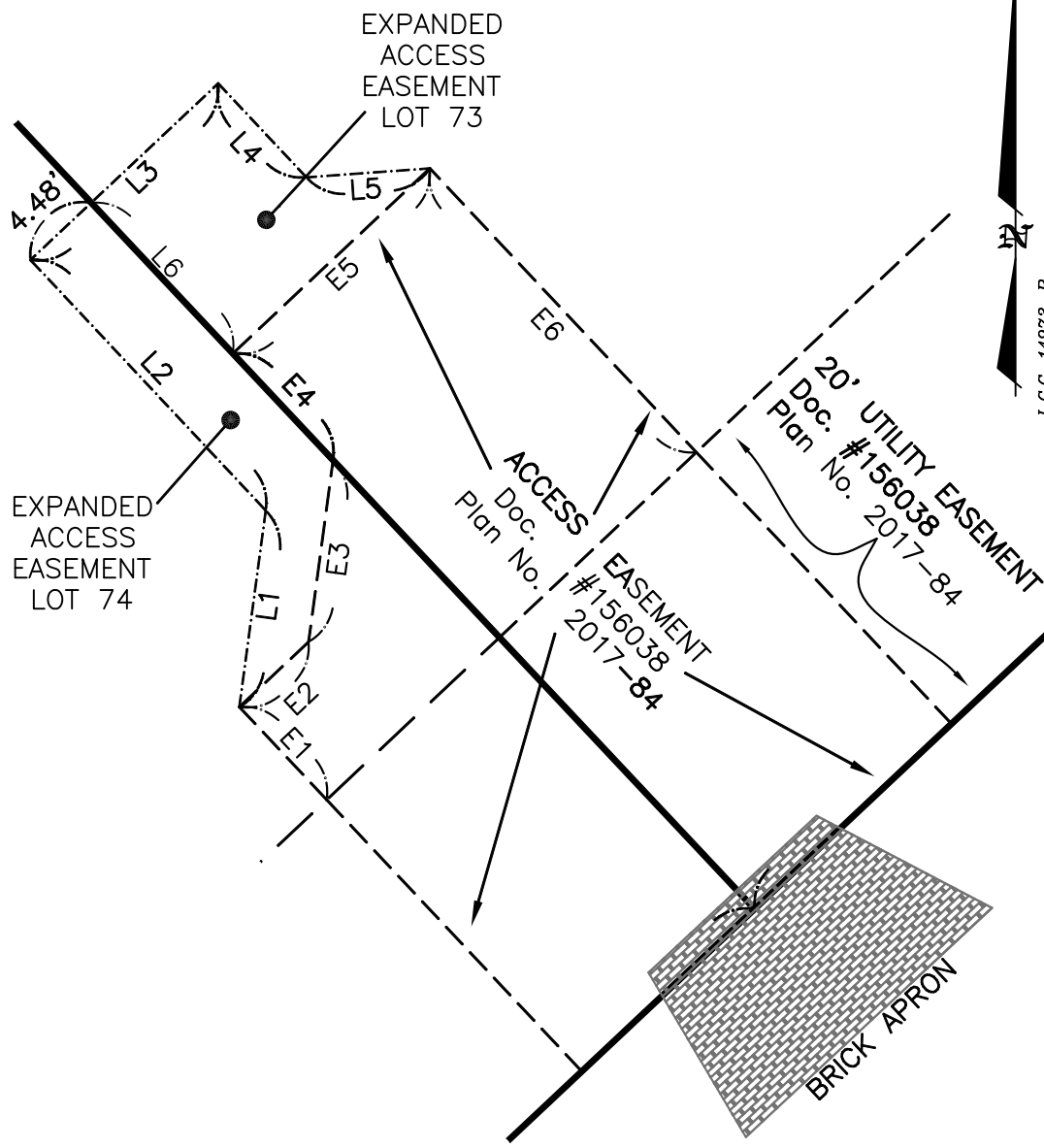
MINIMUM LOT SIZE: 20,000 S.F.
MINIMUM FRONTAGE: 75 FT.
FRONT YARD SETBACK: 30 FT.
SIDE/REAR SETBACK: 10 FT.
GROUND COVER % : 12.5%

TABLE OF BEARINGS AND DISTANCES OF EXPANDED ACCESS EASEMENT

LINE	BEARING	DISTANCE
L1	S07°39'38"W	10.63'
L2	S43°13'00"E	18.45'
L3	S46°47'00"W	13.83'
L4	S43°13'00"E	6.91'
L5	N85°51'58"E	6.64'
L6	S43°13'00"E	11.10'

TABLE OF BEARINGS AND DISTANCES OF EXISTING ACCESS EASEMENT

LINE	BEARING	DISTANCE
E1	S43°14'05"E	6.84'
E2	S46°47'52"W	5.10'
E3	S07°39'38"W	9.84'
E4	S43°13'00"E	7.85'
E5	S46°47'00"W	14.50'
E6	S43°12'20"E	20.90'



LOT 82
"COMMUNITY LOT"

LOT 73
8,217 S.F.

56-800
N/F
HAWTHORNE PARK, LLC
Cert. 26090
Cert. 26056
Cert. 26345
Cert. 26517
L.C.C. 14973-P, LOT 82
#8C HAWTHORNE LANE

LOT 74
7,568 S.F.

56-810
N/F
HAWTHORNE PARK, LLC
Cert. 26090
Cert. 26345
L.C.C. 14973-P, LOT 74
#41 HUMMOCK POND ROAD

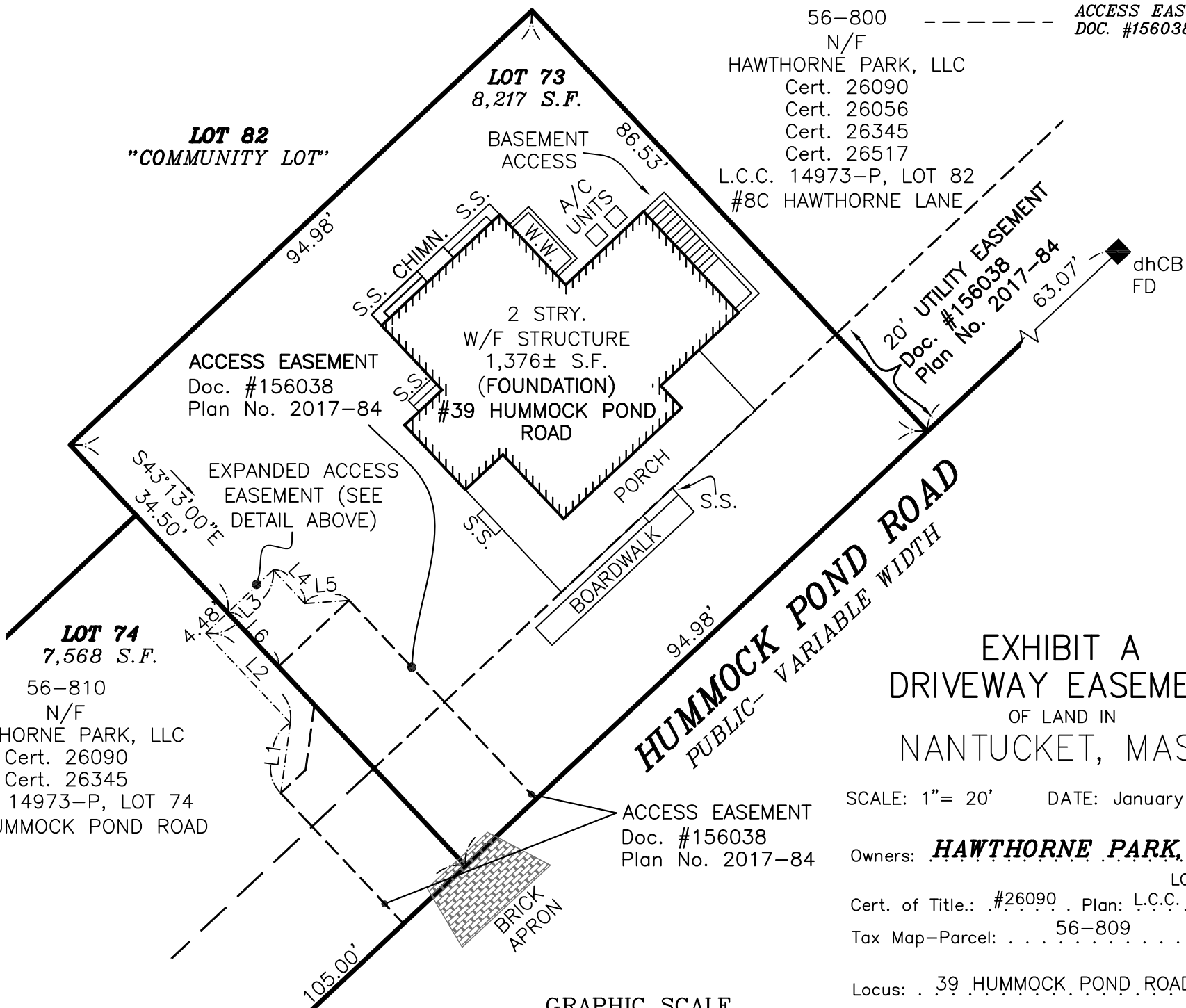


EXHIBIT A
DRIVEWAY EASEMENT
OF LAND IN
NANTUCKET, MASS.

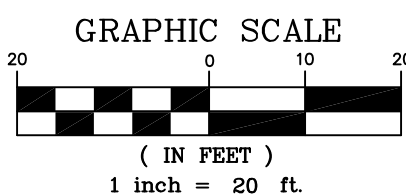
SCALE: 1"= 20' DATE: January 29, 2020

Owners: **HAWTHORNE PARK, LLC**

LOT 73
Cert. of Title: #26090 Plan: L.C.C. 14973-P
Tax Map-Parcel: 56-809

Locus: . 39 HUMMOCK POND ROAD

BLACKWELL & ASSOCIATES, Inc.
Professional Land Surveyors
20 TEASDALE CIRCLE
NANTUCKET, MASS. 02554
(508) 228-9026



ACCEPTANCE BY PLANNING BOARD

We, as a majority of the members of the Nantucket Planning Board, hereby accept and approve that certain Second Amendment to Declaration of Restrictions and Easements by Hawthorne Park LLC, a Massachusetts limited liability company, dated as of January 28, 2020, registered with Nantucket Registry District as Document No. _____.

Dated: _____, 2020

Judith Wegner

John Trudell III

Nathaniel Lowell

Frederick McClure

David Iverson

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss.

On this ____ day of _____, 2020, before me, the undersigned notary public, personally appeared _____, being one of the members of the Nantucket Planning Board, personally known to me to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily as her/his free act and deed for its stated purpose.

Notary Public

Printed name:

My commission expires: