

CONDOMINIUM WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that Del Ray Place, LLC, a New Hampshire limited liability company, of 9 Shelly Drive, P.O. Box 732, Pelham, Hillsborough County, New Hampshire 03076, for consideration paid, grants to \_\_\_\_\_ of \_\_\_\_\_, as \_\_\_\_\_, with WARRANTY COVENANTS:

Unit \_\_\_\_ of Del Ray Place Condominium, located at \_\_\_\_\_, Windham, Rockingham County, New Hampshire 03087, as established by Del Ray Place, LLC pursuant to New Hampshire RSA 356-B by Declaration of Condominium, dated February 1, 2020 and recorded in the Rockingham County Registry of Deeds at Book 6081, Page 2236, together with its Bylaws and Condominium Rules recorded therewith.

Unit \_\_\_\_ is laid out as shown on the Del Ray Place Condominium Site Plan dated and recorded in the Rockingham County Registry of Deeds as Plan No. D-41983 (page \_\_ of \_\_); and as shown on the Unit \_\_\_\_ “\_\_\_\_\_” Floor Plan prepared by The Dubay Group, Inc., dated \_\_\_\_\_, 20\_\_ and recorded in the Rockingham County Registry of Deeds as Plan No. \_\_\_\_\_ (sheet \_\_ of \_\_). Recorded together with such Plans and contained therein is the verified statement of a Licensed Surveyor, in the manner required by New Hampshire RSA 356-B:20(II).

Unit \_\_\_\_ is hereby conveyed together with a one twenty-sixth (1/26<sup>th</sup>) undivided interest in the common area, together with the right to use the same in common with others entitled thereto, and is conveyed subject to the provisions of the Declaration and Bylaws and the Condominium Rules adopted thereunder.

Said Unit is to be used for residential purposes and shall not be used for any business purposes except as may be expressly permitted by the Declaration or by the Board of Directors in accordance with the provisions of the Declaration and Bylaws.

Said Unit is acquired with the benefit of and subject to the provisions of New Hampshire RSA 356-B relating to Unit Ownership of Real Property, as that statute is written as of the date hereof, and as it may in the future be amended.

**1. The Condominium has been approved by the Windham Planning Board under its Housing for Older Persons zoning ordinance provisions (Section 610), on the basis that it shall be used as the primary residence for and by persons over the age of fifty-five (55), and it shall be used as such by the owners. The Condominium is designed to provide housing opportunities for older persons.**

**2. The Condominium is being established and shall be maintained in compliance with 42 USC Sect. 3601, et. seq., and 24 CFR Part 100, Sections 100.304 through 100.308, with RSA 354-A:15, and with the provisions of the Windham Zoning Ordinance regulating Housing for Older Persons.**

**2-A. To this end, Units shall only be sold to Buyers who execute an Affidavit that (1) the Unit is to be the Buyers' immediate permanent residence; and (2) Buyers are not acquiring the Unit for purposes of, or with the intent to, resell or lease such Unit to persons under the age of fifty-five (55); and (3) each resident Buyer is or will be at the time of the closing, in excess of fifty-five (55) years of age or (a) a spouse under the age of fifty-five (55) married to a resident aged fifty-five (55) or older; (b) an adult over the age of twenty-one (21) if his/her presence is required to provide medical care to a resident aged fifty-five (55) or older or to the resident's spouse; or (c) employees of the elderly housing project (and family members living in the same unit) who are under fifty-five (55) years of age, provided the employees perform substantial duties related to the management or maintenance of the project's facilities. Notwithstanding the foregoing, at least 80 percent of the units shall be occupied by at least one person 55 years of age or older per unit, in accordance with the provisions of RSA 354-A:15(IV)(b).**

**3. This covenant shall run with the land for the benefit of the Town of Windham, a municipal corporation, situated in the State of New Hampshire and further shall benefit and be enforced by the Association and the Town of Windham. Further, this covenant may not be amended or deleted without the expressed written approval of the Windham Planning Board. The full text of the restrictive covenants set forth above shall be printed in boldfaced type on every deed conveying a Unit within The Condominium before it is filed at the Rockingham County Registry of Deeds.**

The Unit is conveyed subject to and with the benefit of the following matters:

Easement from Great Mountain View Estates, LLC to Public Service Company of New Hampshire (PSNH), dated April 22, 2013, and recorded in the Rockingham County Registry of Deeds at Book 5431, Page 2996.

Easement from Great Mountain View, LLC to Northern New England Telephone Operations LLC d/b/a Fairpoint Communications – NNE and Liberty Utilities/Energy Efficiency, dated May 16, 2016, and recorded in the Rockingham County Registry of Deeds at Book 5717, Page 1822.

All matters noted and depicted on a plan of land entitled, "Subdivision Overview Plan, Great Mountain View Estates, Windham, New Hampshire", prepared by MHF Design Consultants, Inc., and recorded in the Rockingham County Registry of Deeds as Plan No. D-35621.

State of New Hampshire, Attorney General, Department of Justice, Certificate of Registration, dated March 2, 2020, and recorded in the Rockingham County Registry of Deeds at Book 6092, Page 2763.

Being a portion of the premises conveyed to Del Ray Place, LLC, by Deed of Great Mountain View Estates, LLC, dated November 1, 2018, and recorded in the Rockingham County Registry of Deeds at Book 5959, Page 246.

This property is not subject to homestead rights and Grantor hereby releases all other interests therein.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Del Ray Place, LLC

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Robert J. Peterson, Manager

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH, ss.

\_\_\_\_\_, 20\_\_\_\_.

Before me, personally appeared the above-named, Robert J. Peterson, Manager of Del Ray Place, LLC, and acknowledged that he executed the foregoing instrument as the free act and deed of the LLC for the purpose therein contained, being duly authorized.

\_\_\_\_\_  
JUSTICE OF THE PEACE - David M. Groff  
My Commission Expires: 4/8/2020

ESTOPPEL CERTIFICATE

The undersigned, Robert J. Peterson, Manager of Del Ray Place, LLC, being the Declarant of the Del Ray Place Adult Community Condominium Association, an unincorporated association formed in connection with the Del Ray Place Condominium, located off of Ryan Farm Road, Windham, Rockingham County, New Hampshire, recorded at Book 6082, Page 2273, at the Rockingham County Registry of Deeds, with an office at 9 Shelly Drive, PO Box 732, Pelham, New Hampshire 03076, and being duly authorized to issue this certificate, herein states that as of the date hereof, there are no outstanding assessments or other fees due to the Association, with regard to Unit 1, except as listed below:

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Del Ray Place Adult Community Condominium  
Association

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Robert J. Peterson, Manager of Del Ray Place, LLC,  
Declarant

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH, ss. \_\_\_\_\_, 2020.

Before me, personally appeared the above-named, Robert J. Peterson, Manager of Del Ray Place, LLC, the Declarant of the Del Ray Place Adult Community Condominium Association, and made oath that the foregoing statements are true and correct to the best of his knowledge, information and belief, being duly authorized.

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JUSTICE OF THE PEACE - David M. Groff  
My Commission Expires: 4/8/2020