

Return to:

Linda Vaccaro, Esq  
The Hamilton Company  
39 Brighton Ave.  
Allston, MA 02134



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Attested hereto

*Francis M. Roache*  
Francis M. Roache  
Register of Deeds

**PARTIAL RESCISSION AND SUBSTITUTED  
RELEASE OF ARTIST HOUSEHOLD REQUIREMENT AND  
RELEASE OF HOMEOWNERSHIP REQUIREMENT**

This **PARTIAL RESCISSION AND SUBSTITUTED RELEASE OF ARTIST HOUSEHOLD REQUIREMENT AND RELEASE OF HOMEOWNERSHIP REQUIREMENT** is issued this 21<sup>st</sup> day of July 2010 pursuant to the Artist Housing Agreement dated as of March 20, 2008 by and between the **BOSTON REDEVELOPMENT AUTHORITY**, a public body politic and corporate organized and existing under Chapter 121B of the Massachusetts General Laws, as amended and **MOTHER BROOK, LLC**, a Massachusetts limited liability company, as amended by the First Amendment to the Artist Housing Agreement dated December 17, 2008 and as further amended by a Second Amendment to Artist Housing Agreement dated February 18, 2010 (collectively, the "Amended Artist Housing Agreement").

Reference is also made to that certain Master Deed of The Lofts at Westinghouse Condominium for the property located at One Westinghouse Plaza Boston (Hyde Park), Massachusetts dated as of December 23, 2009 and recorded on January 11, 2010 with the Suffolk District Registry of Deeds in Book 45949, Page 1.

Further reference is made to the Release of Artist Household Requirement and Release of Homeownership Requirement dated March 22, 2010 and recorded with the Suffolk Registry of Deeds on March 30, 2010 in Book 46227, Page 133 ("First Release").

**WHEREAS**, Mother Brook, LLC desires to substitute certain unreleased Market Rate Units (as such term is defined in the Amended Artist Housing Agreement) for certain Market Rate Units which were released in the First Release;

**WHEREAS**, the Boston Redevelopment Authority does not find any adverse impact on the public interest by allowing such substitution of units;

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Boston Redevelopment Authority hereby:

1. Rescinds the release of the Artist Household Requirement and the release of Homeownership Requirement as set forth in the First Release solely for the five (5) units set forth on Exhibit A attached hereto and made a part hereof.
2. Affirmatively reimposes the Artist Household Requirement and the Homeownership Requirement as set forth in the Amended Artist Housing Agreement for the five (5) units set forth on Exhibit A.
3. Releases those Market Rate Units (as such term is defined in the Amended Artist Housing Agreement) identified on Exhibit B attached hereto from the Artist Housing Requirement, in substitution of the Market Rate Units referenced in paragraph 1 above, pursuant to the provisions of Section 3 (c) of the Amended Artist Housing Agreement; and
4. Releases those Market Rate Units (as such term is defined in the Amended Artist Housing Agreement) identified on Exhibit B attached hereto from the Homeownership Requirement, in substitution of the Market Rate Units referenced in paragraph 1 above, pursuant to the provisions of Section 4(c) of the Amended Artist Housing Agreement.
5. Effective as of the date hereof, the Amended Artist Housing Agreement shall be of no force and effect for those released Market Rate Units as set forth on Exhibit B attached hereto.

Except as otherwise expressly provided herein, the First Release shall remain in full force and effect.

**BOSTON REDEVELOPMENT AUTHORITY**



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John F. Palmieri, Director

APPROVED AS TO FORM:

*for Janet Carlson*  
Kevin J. Morrison, Esq.  
General Counsel  
Boston Redevelopment Authority

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss

On this 24<sup>th</sup> day of July, 2010 before me, the undersigned notary public, personally appeared John F. Palmieri, in his capacity as the Director of the Boston Redevelopment Authority provided to me through satisfactory evidence of identification which was personal knowledge (e.g. driver's license) to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose in said capacity as aforesaid. ..



ELLEN T. HARROWEN  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
March 5, 2015

Ellen T. Harrowen

Notary Public

My commission expires: 3/5/15

**EXHIBIT A**

**Market Rate Units for Which First Release is Rescinded and Now Subject to Artist  
Housing Requirement and Homeownership Requirement**

**Market Rate Unit #'s**

315

316

321

327

339

**EXHIBIT B**

**Substituted Market Rate Units Released from the Artist Housing Requirement and Homeownership Requirement**

**Market Rate Unit #'s**

301  
308  
309  
310  
332