

FOURTH AMENDMENT TO THE SECOND AMENDED AND RESTATED  
DECLARATION OF CONDOMINIUM FOR THE 903 CONDOMINIUM  
RECORDED IN THE PROVIDENCE LAND EVIDENCE  
RECORDS IN BOOK 7938 AT PAGE 231

This Fourth Amendment made and entered into this 18<sup>th</sup> day of January, 2008 by Athena Providence Place (Leasehold), LLC, a limited liability company organized and existing under the Laws of the State of Delaware (hereinafter "Declarant").

WHEREAS, Declarant recorded a Second Amended and Restated Declaration of Condominium ("Declaration") dated March 22, 2006 and recorded March 22, 2006 at 2:33 p.m. in Book 7938 at Page 231 in the Providence Land Evidence Records, together with Plats and Plans, whereby the Declaration created "The 903 Condominium".

The Declarant hereby amends the Declaration to include additional Declarant Rights under Section XI of the Declaration.

NOW THEREFORE, the Declarant hereby deletes Section XI of the Declaration in its entirety and Section XI shall now read:

ARTICLE XI: DEVELOPMENT RIGHTS AND SPECIAL DECLARANT RIGHTS

Section 11.1. Reservation of Rights. The Declarant reserves to itself and for the benefit of its successors and assigns, pursuant to Sections 34-36.1-1.03 (26) and 34-36.1-2.05(a)(8) of the Act, the right to maintain models and sales offices and to exercise the easements as set forth in Article VI hereof, to appoint or remove any officer or member of the Executive Board during any period of Declarant control of the Association and any and all other Special Declarant Rights as are now allowed or in the future may be allowed by the Act. The Declarant hereby reserves the right to submit additional land to the Common Elements of the Condominium. This additional land is described as Exhibit 1, attached hereto and incorporated herein, and shall also be depicted on the exterior survey map, attached hereto and incorporated herein, recorded contemporaneously herewith and identified as "MAY BE ADDED BY DECLARANT"

Section 11.2. Phasing In. Intentionally Omitted

Section 11.3. Exercise of Rights. The exercise of the Development Rights and/or Special Declarant Rights reserved herein shall be in accordance with and governed by the provisions of the Act, including without limitation Section 36.1-2.10 and shall expire in ten (10) years from the date of this filing if not exercised by the Declarant or its successors and/or assigns.

Section 11.4. Control.

- a) Until the sixtieth (60th) day after conveyance of more than 80% of the Units which may be created, to Unit Owners other than the Declarant, Declarant shall have the right to appoint and remove any and all officers and members of the Executive Board.


Declarant may not unilaterally remove any members of the Executive Board elected by unit Owners other than Declarant.

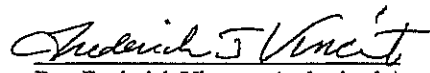
- b) Not later than sixty (60) days after the conveyance of two (2) or more of the Units to Unit Owners other than the Declarant, one of the seven members of the Executive Board shall be elected by Unit Owners other than Declarant.
- c) Not later than five (5) years after the date of the recording of this Declaration, all members of the Executive Board shall resign, and Unit Owners (including Declarant to the extent of Units owned by Declarant) shall elect a new seven member Executive Board, at least a majority of whom must be Unit Owners.

IN WITNESS WHEREOF, Declarant by its Manager has caused this Fourth Amendment to be executed the date and year first above written.

In the presence of:

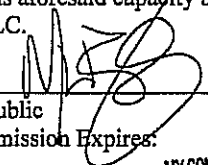

Athena Providence Place (Leasehold), LLC

Witness 

  
By: Frederick Vincent, Authorized Agent

STATE OF RHODE ISLAND  
COUNTY OF PROVIDENCE

In Providence on the 18<sup>th</sup> day of January, 2008, before me personally appeared Frederick Vincent, Authorized Agent of Athena Providence Place (Leasehold), LLC to me known and known by me to be the party executing the foregoing instrument and he acknowledged said instrument to be his free act and deed in his aforesaid capacity and the free act and deed of said Athena Providence Place (Leasehold), LLC.

  
Notary Public  
My Commission Expires:   
MARGIE GERTSAGOV  
NOTARY PUBLIC  
STATE OF RHODE ISLAND  
MY COMMISSION EXPIRES APRIL 16, 2009

Attached hereto, as set forth in Exhibit A, attached hereto and incorporated herein, is the consent of all Unit Owners, other than the Declarant, and their mortgagees that hold a first lien upon the Unit along with an undivided percentage interest in the Common Elements.