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**DECLARATION OF TRUST  
OF  
THE WATERWORKS AT CHESTNUT HILL TRUST**

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Chestnut Hill, Massachusetts

By

Guy Corricelli, Doreen Bushasia, and Catherine A. Hult, as Trustees

Dated: September 18, 2006

Upon recording, please return to:

**Bingham McCutchen LLP  
150 Federal Street  
Boston, MA 02110  
Attn: Marcia Robinson**

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**DECLARATION OF TRUST**  
**OF**  
**THE WATERWORKS AT CHESTNUT HILL TRUST**

This DECLARATION OF TRUST of THE WATERWORKS AT CHESTNUT HILL TRUST is made at Boston, Suffolk County, Massachusetts, by Guy Corricelli, Doreen Bushasia, and Catherine A. Hult, all with an address at 536 Granite Street, Braintree, Massachusetts 02184 (hereinafter called the "Park Board Trustees," which term includes their successors in trust). The term "Park Board Trustee" or "Park Board Trustees" also means the Park Board Trustee or Park Board Trustees for the time being hereunder, whenever the context so permits.

1. DEFINITIONS

Bylaws – The bylaws of this Trust attached hereto as Exhibit A.

Chapter 183A - Chapter 183A of the Massachusetts General Laws, as the same may be amended from time to time.

Common Elements - The common areas and facilities of each Condominium as defined in their respective Master Deeds.

Community Access Plan - As defined in Declarant's Deed.

Condominium Trustee(s) – The individual trustees of each Condominium pursuant to such Condominium's respective Declaration of Trust.

Conservation and Preservation Restrictions - The restrictions contained in the Declarant's Deed.

Cross Easement and Use Agreement - The Cross Easement and Use Agreement by the Declarant dated September 18, 2006 and recorded with the Registry immediately prior to this Declaration of Trust.

DCAM - The Division of Capital Asset Management and Maintenance of the Commonwealth of Massachusetts.

DCR - The Department of Conservation and Recreation of the Commonwealth of Massachusetts.

Declarant - Waterworks Park, LLC, a Massachusetts limited liability company, and its successors and assigns.

Declarant's Deed- The Deed with Conservation and Preservation Restrictions by and among the Commonwealth of Massachusetts, et al., as Grantor, and Declarant, as Grantee, dated August 5, 2005 and recorded in Book 37860, Page 176, as amended by a First Amendment to Deed with Conservation and Preservation Restrictions, dated as of August 22, 2006, be recorded herewith.

