

TEM PER WAL, LLC
BLACK CAT PROPERTIES
DECLARATION OF COVENANTS

THIS DECLARATION OF COVENANTS made this 25th of May, 2004, by Tem Per Wal, LLC, a Maine Limited Liability Company whose mailing address is 376 West Street, Princeton, Maine 04668, hereinafter referred to as Developer.

WHEREAS, Tem Per Wal, L.L.C., is the owner of certain real estate situated in Princeton, Washington County, Maine is described in a deed of Typhoon LLC of record in the Washington County Registry of Deeds, Book 2748, Page 38 and a deed of Barry Deane at Book 2834, Page 118, as set forth in Plan of record at Cabinet 3, Drawer 13, #53.

WHEREAS, it is the developer's intent that the lots shown on said subdivision plan, and on other adjacent land be developed and maintained as a part of a seasonal and year-round community, providing an aesthetic, healthful, and uniform development, with private access roads over and across the rights-of-way providing access thereto and the common areas as depicted on said plan, for the benefit of the lot owners within said subdivision; and

WHEREAS, for the efficient and effective implementation of the foregoing purposes, developer will cause to be incorporated, under the laws of the State of Maine, a non-business corporation (hereinafter referred to as the "association") which association or its nominee, shall be the agency to which is delegated and assigned, the powers of maintaining and administering said roads and common areas and facilities and administering and enforcing the covenants and collection and disbursing the assessments and charges as hereinafter set forth;

NOW THEREFORE, the developer declares that the respective lots and common areas and facilities as shown on said subdivision plan are and shall be held, transferred, sold, conveyed, and occupied subject to the covenants, charges and assessments hereinafter set forth, as follows:

1. The term "owner" as used herein, and for all purposes of this declaration shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any lot within the subdivision, but, notwithstanding any applicable theory of mortgage, shall not mean or refer to the Mortgagee unless and until said Mortgagee has acquired title pursuant to foreclosure or any proceeding in lieu of foreclosure.

2. The term "lot" as used herein shall mean and refer to a