

AMENDMENT TO THE BY-LAWS
OF
BRIGHTON ESTATE CONDOMINIUM

Article IX of the By-Laws is hereby amended to read as follows:

Section 9.1 In the event of damage to or destruction of any of the buildings or Common Elements as a result of fire or other casualty, the insurance proceeds, if any, shall be payable to the Board of Managers. The Board of Managers shall arrange for the prompt repair and restoration of such buildings containing the Units (including any damaged Units, and any kitchen or bathroom fixtures initially installed therein by the Sponsor, but excluding any wall, ceiling or floor decorations or coverings or other furniture, furnishings, fixtures or equipment installed in the Units), and the Board of Managers shall disburse the proceeds of all insurance policies to the contractors engaged in such repair and restoration in appropriate progress payments. Any cost of such repair and restoration in excess of the insurance proceeds shall constitute a Common Expense and the Board of Managers shall assess all the Unit Owners for such deficit and for a completion bond for such deficit as part of the Common Charge.

If there shall have been a repair or restoration pursuant to the first paragraph of this Article IX, and the amount of insurance proceeds shall have exceeded the cost of such repair or restoration, then the excess of such insurance proceeds shall be divided by the Board of Managers among all the Unit Owners subject to the rights of holders of mortgages encumbering such Units in proportion to their respective common interests after first paying out of the share due each Unit Owner such amounts as may be required to reduce unpaid liens on such Unit in the order of priority of such liens.

If seventy-five percent (75%) or more of the Units are destroyed or substantially damaged as determined by the Board of Managers and seventy-five percent (75%) or more of the Unit Owners do not duly and promptly resolve to proceed with repair or restoration, the Property shall be subject to an action for partition upon the suit of any Unit Owner or lienor, as if owned in common, in which event, the net proceeds of sale, together with the net proceeds of insurance policies shall be held in escrow by the Board of Managers to be divided among all Unit Owners, subject to the rights of holders of mortgages encumbering such Units, in proportion to their respective common interests after first applying the share of the net proceeds of such sale otherwise payable to any Unit Owners to the payment of any liens on his Unit, in the order of the priority of such liens.

Wherever in this Article IX the words "promptly repair" are used, it shall mean repairs are to begin not more than sixty (60) days from the date of receipt of insurance funds on account of such damage or destruction and wherever the words "promptly resolve" are used, it shall also mean not more than sixty (60) days from the date of receipt of said insurance funds.

Section 9.2. In the event of a taking in condemnation or by eminent domain of part or all of the Common Elements, the award made for such taking shall be payable to the Board of Managers. The Board of Managers shall arrange for the repair and restoration of such Common Elements, and the Board of Managers shall disburse the proceeds of such award to the contractors engaged in such repair and restoration in appropriate progress payments. If there shall be a surplus of such proceeds, or if the Board of Managers shall elect not to repair or restore the Common Elements, then the proceeds shall be distributed in the same manner as insurance proceeds under this Article IX. In the event that the condemnation award shall exceed \$50,000.00, and seventy-five (75) percent or more of the Unit Owners do not duly and promptly approve the repair and restoration of such Common Elements, the Board of Managers shall disburse the net proceeds of such award in the same manner as they are required to distribute insurance proceeds where there is no repair or restoration of the damage, as provided in this Article IX. As used in this Section 9.2, the words "promptly approve" shall mean not more than sixty (60) days from the date of such taking.