

17302

RECORDED  
RUSSELL K. LIGHT  
RECORDER LEBANON COUNTY

Dec 28 50 AM '96

AMENDMENT TO DECLARATION  
OF RESTRICTIONS AND COVENANTS

THE OAKS - PHASE FOUR

THIS AMENDMENT TO DECLARATION OF RESTRICTIONS AND COVENANTS, made this 17 day of April, 1996, by DENNIS L. HESS and CAROLE A. HESS, husband and wife, hereinafter referred to as the Declarant.

RECITALS:

- A. On December 21, 1995, Declarant filed a Declaration of Covenants in Record Book 180, Page 943, in the Lebanon County Recorder of Deeds Office.
- B. The said Declaration of Covenants applied to a residential development known as The Oaks - Phase Three, North Londonderry Township, Lebanon County, Pennsylvania, which plan was recorded in Plan Book 43, Page 127.
- C. The Oaks of North Londonderry Township Homeowner's Association, a non-profit corporation, was incorporated by Declarant on January 31, 1996.
- D. The Preliminary Subdivision and Land Development Plans for The Oaks - Phase Four were approved by the Lebanon County Planning Department and by the North Londonderry Township Board of Supervisors on July 15<sup>TH</sup>, 1996.
- E. The property which is the subject of the Preliminary Subdivision and Land Development Plans for The Oaks - Phase Four is described in Record Book 318, Page 1073, in the Lebanon County Recorder of Deeds Office.

F. On Dec. 2, 1996, Declarant filed a Final Subdivision and Land Development Plan for The Oaks - Phase Four A in Plan Book 45, Page 15.

NOW THEREFORE, the Declaration of Restrictions and Covenants, previously recorded in Record Book 180, Page 943, is hereby adopted and made applicable to the lots in The Oaks -Phase Four, as follows:

1. As to all lots within Phase Four, unless excluded herein, specifically including the responsibility to pay for assessments for the maintenance of any stormwater management facilities and street lights.
2. With each phase of Phase Four (A, B, C or D), Declarant may make further changes, provided that all lots retain the responsibility to pay for assessments for the maintenance of any stormwater management facilities and street lights.
3. With respect to the Final Subdivision and Land Development Plan of The Oaks - Phase Four A:
  - a. The parcel of land to be conveyed to adjacent lands of MFS Group, of approximately 4.7 acres, shall be excluded from the Declaration of Restrictions and Covenants as it will be sold and not become a part of The Oaks.
  - b. As a result of the recording of the Final Plan of Phase Four A, the Purpose of Assessments, in Section 3.02 of the Declaration of Restrictions and Covenants, shall include the stormwater management facilities and street lights within Phase Four A.
  - c. The Protective Covenant as to Dwelling Quality and Size, in Section 6.05 of the Declaration of Restrictions and Covenants, shall be amended to permit within Phase Four A single-family, semi-detached residential buildings on the lots as shown on the Final Plan for Phase Four A. Further, each dwelling unit shall contain a minimum of 1,000 square feet of living space (as defined in Section 6.05(b)) and each dwelling unit shall be considered to be a lot with the owner of that lot entitled to one vote in the Association.

103763.1

BOOK 189 PAGE 396

IN WITNESS WHEREOF, this Amendment has been executed the day and year above written.

WITNESS:

<u><i>Brenda Carol Weher</i></u>	<u><i>Dennis L. Hess</i></u> DENNIS L. HESS
<u><i>Carole A. Hess</i></u>	<u><i>Carole A. Hess</i></u> CAROLE A. HESS

COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF Dauphin :

ss.

On this, the 17 day of April, 1996, before me, a Notary Public, the undersigned officer, personally appeared DENNIS L. HESS and CAROLE A. HESS, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes herein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

*Brenda Carol Weher* (SEAL)  
Notary Public

My Commission Expires:



Notarial Seal  
Brenda Carol Weher, Notary Public  
East Hanover Twp., Dauphin County  
My Commission Expires March 18, 1999  
Member, Pennsylvania Association of Notaries