

County of Northumberland



MARY L. ZIMMERMAN
REGISTER OF WILLS, RECORDER OF DEEDS
CLERK OF ORPHANS' COURT
Courthouse, 201 Market Street
Sunbury, Pennsylvania 17801
(570) 988-4143

Instrument Number - 201003053

Recorded On 3/12/2010 At 2:06:42 PM

* Instrument Type - AMENDMENT

Invoice Number - 141926

* Mortgagor - ROLLING RIDGE TOWNHOMES ASSOCIATION

* Mortgagee - ROLLING RIDGE TOWNHOMES ASSOCIATION

* Customer - ROLLING RIDGE TOWNHOMES

Book - 2212 Starting Page - 314

* Total Pages - 5

* FEES

| | |
|---------------------|---------|
| STATE WRIT TAX | \$0.50 |
| RECORDING FEES - | \$13.00 |
| RECORDER OF DEEDS | |
| COUNTY ARCHIVES FEE | \$2.00 |
| ROD ARCHIVES FEE | \$3.00 |
| TOTAL PAID | \$18.50 |

This is a certification page

DO NOT DETACH

This page is now the first page
of this legal document.

RETURN DOCUMENT TO:

ROLLING RIDGE TOWNHOMES

PO BOX 180

MILTON, PA 17847

I hereby CERTIFY that this document is
recorded in the Recorder's Office of
North'd County, Pennsylvania.



Mary L. Zimmerman
Recorder of Deeds

* - Information denoted by an asterisk may change during
the verification process and may not be reflected on this page.

Book: 2212 Page: 314

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SECOND AMENDMENT TO THE DECLARATION OF COVENANTS AND EASEMENTS FOR ROLLING RIDGE TOWNHOMES, A PLANNED COMMUNITY

THIS SECOND AMENDMENT TO THE DECLARATION OF COVENANTS AND EASEMENTS FOR ROLLING RIDGE TOWNHOMES, A PLANNED COMMUNITY (the "**Second Amendment**") is made as of the 12 day of March, 2010, by the **Rolling Ridge Townhomes Association** (the "**Association**") and joined in by at least seventy percent of the Lot Owners of the Community (as hereinafter defined).

RECITALS

The background of this Second Amendment is as follows:

R.1. Pursuant to a Declaration of Covenants and Easements for Rolling Ridge Townhomes, a Planned Community dated September 17, 1997 and recorded in the Recorder of Deeds Office in and for Northumberland County, Pennsylvania on September 26, 1997 in Record Book 1123, pages 332 et seq (the "**Initial Declaration**"), John Fogarty Development Corporation, a Pennsylvania corporation (the "**Declarant**") submitted certain property located in the Borough of Milton, Northumberland County, Pennsylvania and known as Lots 72, 73, 74, 75, 76, 185, 186 and 187 on the Final Plan for Rolling Ridge P.R.D. dated 3/25/95, and recorded in the Recorder of Deeds Office in and for Northumberland County, Pennsylvania on August 14, 1995 in Plan Book 23, page 91 (the "**Plan**"), to the terms and conditions of the Initial Declaration and to the provisions of the Pennsylvania Uniform Planned Community Act, 68 P.S. §§ 5101 et seq. (the "**Act**"), thereby creating a planned community known as "Rolling Ridge Townhomes, a planned community" (the "**Community**").

R.2. Pursuant to a First Amendment to the Declaration of Covenants and Easements of the Rolling Ridge Townhomes, dated October 8, 1998 and recorded in the Recorder of Deeds Office in and for Northumberland County, Pennsylvania on October 28, 1998 in Record Book 1191, pages 358 et seq (the "**First Amendment**" and, together with the Initial Declaration, the "**Declaration**"), the Declarant revised and clarified the makeup of the Community and the Lots and Units to be created therein.

R.3. Section 5219 of the Act provides that a declaration may be amended by a vote or agreement of unit owners of units to which at least sixty-seven percent (67%) of the votes in the association are allocated.

R.4. The Declaration provides that the Declaration may be amended by an instrument signed by not less than seventy (70%) percent of the Owners.

R.5. As of the date of this Second Amendment, there are 62 Lots owned by Lot Owners, seventy percent of which is 44.

R.6. The Declaration does not contain any provisions permitting or prohibiting the rental of Units in the Community; however, the Association and the joining Lot

Owners, intending to preserve, protect and enhance the value of the Community and the individual Lots in the Community, wish to amend the Declaration in order to impose restrictions prohibiting the rental of Units and Lots as more specifically set forth herein.

NOW THEREFORE, in accordance with the Declaration and the provisions of 68 Pa. C.S.A. §5219, the Association and the Lot Owners, INTENDING TO BE LEGALLY BOUND HEREBY, amend the Declaration as follows:

1. **RECITALS**. The Recitals set forth above are incorporated herein by reference as if set forth in full.
2. **OWNER-OCCUPANCY**. Article I (entitled "Definitions") of the Declaration is hereby amended by adding the following Section 11 at the end thereof:

Section 11. "Owner Occupied Units" shall mean units occupied solely by the Owner, the members of the family or regular housekeeping unit of the Owner or other guests and invitees of the Owner who occupy without payment of rent.

3. **RENTAL RESTRICTIONS**. Article VI, Section 2 (entitled "Protective Covenants") is hereby amended by adding the following at the end thereof:

(t) All Units shall be Owner Occupied Units unless the Units are Grandfathered Units (as set forth in Article VI, Section 2(t)(i) below.

(i) Units leased at the time of the recording of the Second Amendment in the Recorder of Deeds Office in and for Northumberland County, Pennsylvania shall be defined as "Grandfathered Units." Such Grandfathered Units shall be exempt from Owner Occupied Units restriction subject to the following conditions and such reasonable conditions as the Executive Board may impose:

(1) Unit Owners may extend the tenancy of a Grandfathered Unit only to the present tenant of that Grandfathered Unit;

(2) New, additional, subtenants or replacement tenants shall not be allowed; and

(3) Upon the termination of the tenancy or vacating of the Grandfathered Unit by the present tenant, the Unit shall no longer be determined to be a Grandfathered Unit and thereafter shall be subject to the terms of Article VI, Section (t).

(ii) Notwithstanding the above provisions, at any time in the future, the Executive Board may declare a Unit to be a Grandfathered Unit upon request by a Unit Owner suffering from a financial or personal hardship which renders the Unit Owner unable to reside in the Unit, in

which cases, the Executive Board may, in its sole discretion, declare the Unit to be a Grandfathered Unit subject to the conditions set forth in Article VI, section (t)(i) above and such other reasonable terms and conditions as the Executive Board deems to be appropriate and in the best interests of the Association.

- 4. **REMAINDER OF DECLARATION.** The remainder of the Declaration not amended by this Second Amendment shall remain in full force and effect.
- 5. **RECORDING.** This Second Amendment shall be recorded in the Recorder of Deeds Office in and for Northumberland County, Pennsylvania.

IN WITNESS WHEREOF, this Second Amendment has been executed by the Association and by at least seventy (70%) percent of the Owners, as certified by the Secretary of the Association pursuant to the attached Secretary's Certificate which is incorporated herein by reference as if set forth in full.

ROLLING RIDGE TOWNHOMES
ASSOCIATION

Date: March 12, 2010

By: Dennis M. Hopple
~~(Vice)~~ President
Dmt

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF :

ON THIS, the 12 day of March, 2010, before me, a Notary Public, the undersigned officer, personally appeared Dennis M. Hopple, ~~(Vice)~~ President of Rolling Ridge Townhomes Association, who acknowledged herself/himself to be (Vice) President and that she/he, as such (Vice) President, being authorized to do so, executed the foregoing instrument for the purposes therein contained.

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

Gina Lisa Stockdale
Notary Public

My Commission Expires: Aug. 31, 2013

(Seal)



