



Allegheny County
Jerry Tyskiewicz
Department of Real Estate
Pittsburgh, PA 15219

Instrument Number: 2015-40015 BK-DE VL-16240 PG-424

Recorded On: December 29, 2015 As-Deed Agreement

Parties: ELMHURST NEIGHBORHOOD ASN INC

To ELMHURST NEIGHBORHOOD ASN INC

of Pages: 8

Comment: THIRD AMEND

***** THIS IS NOT A BILL *****

Deed Agreement 162.00
0
0
Total: 162.00

Realty Transfer Stamp

Department of Real Estate Stamp

| | |
|------------------------|--------|
| Affidavit Attached-No | |
| NOT A DEED OF TRANSFER | EXEMPT |
| Value | 0.00 |

Certified On/By-> 12-29-2015 / B K

NOT A DEED OF TRANSFER

I hereby certify that the within and foregoing was recorded in the Department of Real Estate in Allegheny County, PA

****DO NOT REMOVE-THIS PAGE IS PART OF THE RECORDED DOCUMENT****

File Information:

Record and Return To:

Document Number: 2015-40015
Receipt Number: 3015797
Recorded Date/Time: December 29, 2015 01:21:06P
Book-Vol/Pg: BK-DE VL-16240 PG-424
User / Station: R Aubrecht - Cash Super 06

ANTHONY FARANDA DIEDRICH
CHARTER HOMES & NEIGHBORHOODS
1190 DILLERVILLE RD
LANCASTER PA 17601



Jerry Tyskiewicz
Jerry Tyskiewicz, Director
Rich Fitzgerald, County Executive

Record and mail to:
Anthony Faranda-Diedrich
Charter Homes and Neighborhoods
1190 Dillerville Rd.
Lancaster, PA 17601

Parcel Identifications:
421-K-105-19 421-K-105-23
421-K-105-20 421-K-105-24
421-K-105-21 421-K-105-25
421-K-105-22 421-K-105-26

NOTE TO RECORDER'S OFFICE:
Pursuant to Sections 5214 and 5219(c)
of the Pennsylvania Uniform Planned
Community Act, please index this
Third Amendment in the name of
"Elmhurst, a Planned Community"
and **"Charter Homes at Elmhurst, Inc."**
in both the Grantor and Grantee indexes.

**THIRD AMENDMENT TO DECLARATION
OF COVENANTS, RESTRICTIONS, EASEMENTS
AND ESTABLISHMENT OF HOMEOWNERS ASSOCIATION FOR ELMHURST,
A PLANNED COMMUNITY
IN SEWICKLEY BOROUGH, ALLEGHENY COUNTY, PENNSYLVANIA**

This Third Amendment to Declaration of Covenants, Restrictions, Easements and Establishment of Homeowners Association for Elmhurst, A Planned Community in Sewickley Borough, Allegheny County, Pennsylvania ("Third Amendment") is made this 28th day of December, 2015 by Elmhurst Neighborhood Association, Inc., the Unit Owners' association of Elmhurst, a Planned Community (the "Association") and Charter Homes at Elmhurst, Inc., a Pennsylvania corporation (the "Declarant").

BACKGROUND

A. Pursuant to the Declaration of Covenants, Restrictions, Easements and Establishment of Homeowners Association for Elmhurst, A Planned Community in Sewickley Borough, Allegheny County, Pennsylvania dated March 10, 2015 and recorded on March 31, 2015 in the Department of Real Estate of Allegheny County, Pennsylvania in Deed Book Volume 15926, Page 1 (as amended from time to time, the "Declaration"), Declarant, with joinder by Sewickley Elmhurst Partners, LLC, a Pennsylvania limited liability company ("Sewickley Elmhurst Partners"), submitted to the provisions of the Pennsylvania Uniform Planned Community Act, 68 Pa. C.S. § 5101, et seq. (the "Act") the Subject Real Estate described in Exhibit "A" to the Declaration and created a planned community known as Elmhurst, A Planned Community (the "Community") consisting of twenty-six (26) Units.

B. The Units of the Community are depicted and described on the Plats and Plans attached to the Second Amendment to Declaration of Covenants, Restrictions, Easements and Establishment of Homeowners Association for Elmhurst, A Planned Community dated November 20, 2015 and recorded on November 25, 2015 in Allegheny County Deed Book Volume 16208, Page 477 (the "Second Amendment").

C. Declarant is the Owner of Units 19 through 22, inclusive, and Units 23 through 26, inclusive (collectively, the "Affected Units"), pursuant to certain Deeds from Sewickley Elmhurst Partners to Declarant (1) dated October 7, 2015 and recorded October 16, 2015 in Allegheny County (a) Deed Book Volume 16162, Page 54; (b) Deed Book Volume 16162, Page 45; (c) Deed Book Volume 16162, Page 40; and (d) Deed Book Volume 16162, Page 91; and (2) dated July 29, 2015 and recorded September 30, 2015 in Allegheny County (a) Deed Book Volume 16143, Page 369; (b) Deed Book Volume 16143, Page 361; (c) Deed Book Volume 16143, Page 377; and (d) Deed Book Volume 16143, Page 391.

D. In accordance with Section 2.1.2.2 of the Declaration and pursuant to Section 5214 of the Act, Declarant has made application to the Association for the relocation of boundaries for the Affected Units.

E. The Association hereby approves the relocation of boundaries for the Affected Units in accordance with the terms of this Third Amendment.

F. The Association and Declarant hereby agree that the Unit identifying numbers, Association Interest, votes in the Association and Common Expense Liability of each of the Affected Units will not change as a result of the relocation of boundaries as set forth herein.

G. All capitalized terms used herein which are not defined herein shall have the meanings specified in the Declaration or the Act.

NOW, THEREFORE, pursuant to and in compliance with the Declaration and the Act, and intending to be legally bound hereby, the Declaration is hereby amended as follows:

1. The Plats and Plans for the Community are hereby amended as shown on the Amended Plats and Plans attached hereto as Exhibit A and incorporated herein by reference.

2. The Unit boundaries of the Affected Units are hereby reconfigured and replatted as depicted on the Amended Plats and Plans attached hereto. Notwithstanding anything in the Declaration to the contrary, the Amended Plats and Plans attached hereto shall control in the event of a conflict between the Unit boundaries shown on the Development Plans and/or the Plats and Plans attached to the Second Amendment and those shown on the Amended Plats and Plans attached hereto.

3. Pursuant to Section 2.1.2.2 of the Declaration and Section 5214 of the Act, the Unit identifying numbers, Association Interest, votes in the Association and Common Expense Liability of each of the Affected Units will not change as a result of the relocation of Unit boundaries of the Affected Units.

4. Declarant, as Owner of the Affected Units, hereby acknowledges that it owns all interests affected by this Third Amendment and no actual conveyance is required.

5. Except as modified by this Third Amendment, all of the terms and provisions of the Declaration are hereby expressly ratified and confirmed, shall remain in full force and effect and shall apply to the Units and Common Elements within the Community.

[Signature pages follow.]

AMENDED PLATS AND PLANS

The Amended Plats and Plans for Elmhurst, A Planned Community, consisting of a total of one (1) page, are being recorded simultaneously herewith with the Department of Real Estate of Allegheny County, Pennsylvania, and are hereby incorporated herein by reference and made an integral part hereof.

