

CERTIFIED PROPERTY IDENTIFICATION NUMBERS  
540-010-00-00-000601 PETERS TOWNSHIP  
LCGIS REGISTRY 09/27/2019 BY SWANGOT

**AMENDMENT TO THE DECLARATION OF PLANNED COMMUNITY**

**FOR SHERWOOD POND, a Planned Community**

WHEREAS, the Sherwood Pond Homeowners' Association is located in Peters Township, Washington County, Pennsylvania and was declared pursuant to the provisions of the Uniform Planned Community Act of Pennsylvania, 68 Pa. C.S.A. § 5101, *et. seq.* by the recording of a Declaration of Planned Community for Sherwood Pond, a Planned Community, at the Washington County Recorder of Deeds Office on January 23, 2018, at Instrument Number 201801726 (hereinafter "the Declaration"); and

WHEREAS, Article V of the Declaration provides that retaining walls shall be designated as Limited Controlled Facilities; and

WHEREAS, the Association is currently within the period of Declarant-control as defined by the Uniform Planned Community Act of Pennsylvania and Declarant now wishes to amend the Declaration to provide that certain designated retaining walls, but not all retaining walls shall be designated as Controlled Facilities; and

WHEREAS, Article XII, Section 12.1 provides that prior to the transfer of Declarant control to the Association, Declarant may amend the Declaration so long as the Amendment, in the reasonable discretion of the Declarant, has no material adverse effect upon the development of the Planned Community; and

WHEREAS, this Amendment, in the reasonable discretion of the Declarant, has no material adverse effect upon the development of the Planned Community and the Declarant hereby adopts this Amendment in accordance with its authority as set forth in the Declaration and the Uniform Planned Community Act of Pennsylvania.

DEBORAH BARDELLA  
RECORDER OF DEEDS  
WASHINGTON, PA  
Pennsylvania

INSTRUMENT NUMBER  
201922459  
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NOW, THEREFORE, the Declaration is hereby amended as follows:

SECTION 1: The above recitals are incorporated herein by reference as if set forth in their entirety.

SECTION 2: Article V, Sections 5.1, is hereby deleted in its entirety and replaced with the following Article V, Section 5.1:

“5.1 General Rules or Laws to Apply.

(a) The following are designated as **Controlled Facilities**:

(1) **Unit Exteriors**: The entire roof of each Unit, and any and all roof structure support, and any and all appurtenances to such structures, including without limitation exterior finishes such as but not limited to the roof covering, structure support, any and all appurtenances to such structures, soffit, fascia, all doors and windows, hardiplank, garage doors, fences, decks, patios, cladding, building footprint, drainage fixtures and those certain retaining walls (but not all retaining walls) as more fully defined at Exhibit “A” attached hereto and incorporated herein. For purposes hereof, “retaining walls” shall be defined as each wall which is installed by Declarant or Approved Builder which holds back dirt and/or water. It is expressly understood that retaining walls installed by Declarant or Approved Builder are necessary for proper grading and surface water control.

(b) The following are designated as **Limited Controlled Facilities**:

- (1) “Storm Sewers”: All storm sewers outside of the street right-of-way, functioning as roof collection drains;
- (2) “Sanitary Sewers”: All sanitary sewers outside of the street right-of-way;
- (3) “Landscaping”: All trees, plants, shrubbery, flowers and grass installed on a Lot;
- (4) “Driveway and Sidewalks”: The paved surfaces installed and existing on each Lot to permit vehicular and pedestrian ingress and egress from each Unit, for the exclusive use of the Owner of that Unit; and
- (5) “Retaining Walls” other than those designated as Controlled Facilities pursuant to paragraph 5.1(a)(1) above as more fully defined at Exhibit “A” hereto.

(c) Each individual Unit Owner shall hold title to that portion of the Controlled Facilities and Limited Controlled Facility located within his or her Lot. Declarant shall regulate, manage and control the Controlled Facilities and Limited Controlled Facilities as set forth in this Article V.”

SECTION 3: This Amendment is adopted for the sole purpose of converting retaining walls from Limited Controlled Facilities to Controlled Facilities. In all other respects, the Declaration shall remain in full force and effect. To the extent of any inconsistency between any of the provisions of the Declaration and this Amendment, this Amendment shall prevail.

Adopted this 27<sup>th</sup> day of SEPTEMBER, 2019.

Attest:

Sherwood Pond Homeowners Association,  
a Pennsylvania unincorporated Association,  
by Declarant, Crossings Development, LLC,  
a Limited Liability Company:

  
\_\_\_\_\_

  
\_\_\_\_\_  
Steven Koehler, Manager

**CERTIFICATE**

I, Steven Koehler, Manager of Declarant, Crossings Developments, LLC, a Pennsylvania Limited Liability Company, on behalf of itself and the Sherwood Pond Homeowners' Association, a Pennsylvania unincorporated Association, hereby certify that the within Amendment is filed in accordance with the Declaration of Planned Community For Sherwood Pond, a Planned Community, and the Uniform Planned Community Act of Pennsylvania.

Dated this 27<sup>th</sup> day of SEPTEMBER, 2019.

Attest:

Sherwood Pond Homeowners Association,  
a Pennsylvania unincorporated Association,  
by Declarant, Crossings Development, LLC,  
a Limited Liability Company:

*Paul Board*

*Steven Koehler*  
Steven Koehler, Manager

**ACKNOWLEDGEMENT**

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Allegheny

I am a Notary Public in and for said County, in the State aforesaid, do hereby certify that Steven Koehler, Manager of Declarant, Crossings Developments, LLC, a Pennsylvania Limited Liability Company, on behalf of itself and the Sherwood Pond Homeowners' Association, a Pennsylvania unincorporated Association, personally appeared before me this day, and they acknowledged and swore that they signed, sealed and delivered the said instrument as their free and voluntary act and deed for the uses and purposes therein set forth and that the statements therein contained are true.

Given under my hand and notarial seal this 27<sup>th</sup> day of September 2019.

My Commission Expires:

*Deborah Barger*  
Notary Public

Mail To:

1158 DURELL ROAD  
MARS, PA 16046

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
Deborah Barger, Notary Public  
Hampton Township  
Allegheny County  
My Commission Expires 05-21-2021

**AMENDMENT TO THE DECLARATION OF PLANNED COMMUNITY FOR**  
**SHERWOOD POND, a Planned Community**

Sherwood Pond Plan Recorded in Instrument Number 201719826 on August 8, 2017

Mother Parcel Tax I.D. 540-010-00-00-0060-01

Lot No. 33/Parcel Tax I.D. 540-010-31-00-0033-00

Lot No. 34/Parcel Tax I.D. 540-010-31-00-0034-00

Lot No. 35/Parcel Tax I.D. 540-010-31-00-0035-00

Lot No. 36/Parcel Tax I.D. 540-010-31-00-0036-00

Lot No. 37/Parcel Tax I.D. 540-010-31-00-0037-00

Lot No. 38/Parcel Tax I.D. 540-010-31-00-0038-00

Lot No. 48/Parcel Tax I.D. 540-010-31-00-0048-00

Lot No. 49/Parcel Tax I.D. 540-010-31-00-0049-00

Lot No. 50/Parcel Tax I.D. 540-010-31-00-0050-00

Lot No. 52/Parcel Tax I.D. 540-010-31-00-0052-00

Lot No. 53/Parcel Tax I.D. 540-010-31-00-0053-00



