

Tax Parcel #3-30-11.00-6.07
Prepared by: John W. Paradise
Prickett, Jones, Elliott, Kristof & Schneo
26 The Green
Dover, Delaware 19901

FIRST AMENDMENT TO DECLARATION OF RESTRICTIONS

THIS FIRST AMENDMENT TO DECLARATION OF RESTRICTIONS is made and entered into this 19th day of January, A.D. 1996, by TIMOTHY S. JOHNSON (hereinafter referred to as "the Declarant").

WHEREAS, the Declarant is the legal owner in fee simple of all that certain piece, parcel and tract of land, lying and being situate in Cedar Creek Hundred, Sussex County and the State of Delaware, fronting on the southerly right-of-way line of State Route #1 and the northwesterly right-of-way line of County Road #206, being more particularly described in a certain Deed of record dated August 2, 1993, and recorded on August 6, 1993, in the Office of the Recorder of Deeds, in and for Sussex County and the State of Delaware, in Deed Record Book 1928, Page 70 et. seq.; and

WHEREAS, on July 21, 1995, the Declarant executed a Declaration of Restrictions imposing certain additional restrictive covenants upon the lands described in the aforesaid Deed, which Declaration of Restrictions was recorded on July 24, 1995 in the Office of the Recorder of Deeds, in and for Sussex County and the State of Delaware, in Deed Record Book 2064, Page 10 et. seq. (hereinafter referred to as "the Declaration of Restrictions"); and

WHEREAS, the Declarant desires to amend the restrictive covenants which are already declared and set forth in the aforesaid Deed and the Declaration of Restrictions, by declaring and setting forth certain additional restrictive covenants, all of which shall be binding upon Lots 1 through 8, and Parcels 1 through 5 of the Plot of the Lands of Brown P. Thawley, Jr., of record in Plot Book 50, Page 286, in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, as referenced in the aforesaid Deed;

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that the Declarant does hereby agree and declare that the terms of the restrictive covenants set forth in paragraph number 10 of the Declaration of Restrictions are hereby amended to read as follows:

"10. The Declarant shall be responsible for the maintenance of all public streets and stormwater management, as well as a buffer zone of thirty (30) feet along all adjoining agricultural lands, until such time as the Declarant shall have conveyed to any third party or third parties all of the

Declarant's fee simple title interest in and to seventy-five percent (75%) of the total of numbered Lots or numbered Parcels, at which time the Declarant shall assign or turn over its rights and responsibilities to any duly formed association of homeowners, whereupon such association of homeowners shall assume the aforesaid responsibilities."

IN WITNESS WHEREOF, the aforesaid Timothy S. Johnson, as the Declarant, has hereunto set his hand and seal on the day and year first above written.

Signed, Sealed & Delivered
In the Presence of:

Brenda S. Starn
Witness

Timothy S. Johnson (SEAL)
TIMOTHY S. JOHNSON

STATE OF DELAWARE

SS:

COUNTY OF KENT

BE IT REMEMBERED, that on this 19th day of January, A.D. 1996, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, Timothy S. Johnson, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed.

GIVEN under my Hand and Seal of office, the day and year aforesaid.

Brenda S. Starn
NOTARY PUBLIC

IN WITNESS WHEREOF, the aforesaid Timothy S. Johnson, as the Declarant, has hereunto set his hand and seal on the day and year first above written.

Signed, Sealed & Delivered
In the Presence of:

William Le Spence
Witness

Timothy S. Johnson (SEAL)
TIMOTHY S. JOHNSON

STATE OF DELAWARE

SS:

COUNTY OF KENT

BE IT REMEMBERED, that on this 21st day of July, A.D. 1995, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, Timothy S. Johnson, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed.

GIVEN under my Hand and Seal of office, the day and year aforesaid.

Linda Montague
NOTARY PUBLIC
Linda Montague
Clerk of Court 1

RECORDER OF DEEDS
FRANCIS X. RASKAUSKAS

95 JUL 21 AM 10:57

SUSSEX COUNTY
DOC. SURCHARGE PAID

RECORDED

JUL 24 1995

ASSESSMENT DIVISION
OF SUSSEX COUNTY