

RK #11/Forest.Amd  
9/28/89

BOOK 907 PAGE 105

AMENDMENT TO DECLARATION OF RESTRICTIONS

10510

This Amendment to Declaration of Restrictions (this "Amendment") is made this 2nd day of October, 1989, by FOREST CREEK DEVELOPMENT, INC., a Delaware corporation (the "Declarant").

WHEREAS, the Declarant did enter into a Declaration of Restrictions dated July 20, 1989 as the same is recorded in the Office of the Recorder of Deeds in and for New Castle County, State of Delaware, in Deed Book 907, Page 231 (the "Declaration"); and

WHEREAS, the Declarant is the owner of all of the Property which is the subject of the Declaration; and

WHEREAS, the Declarant desires to amend the Declaration;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that the Declarant does hereby amend the Declaration as follows:

1. Article V, Section (13) is deleted in its entirety and the following substituted therefor:

(13) No vegetable or similar nonflower gardens may be maintained in front, side or rear yards of Lots. Statues, bird feeders, fountains and all other lawn decorative devices are prohibited. Above-ground swimming pools are prohibited. In-ground swimming pools are permitted only upon written approval in accordance with Article IV and provided they are installed and maintained in accordance with applicable law. No fence

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shall be erected on any Lot closer to the front line than the rear face of the dwelling on said Lot. No fences shall be of a height more than four (4) feet, except that fences along the rear property lines of those Lots designated on the Recorded Plan as Lots 1 through 9, inclusive, 64 and 65 (the rear property lines being the lines more or less parallel to Old Baltimore Pike) may be of a height more than four (4) feet but no greater than six (6) feet. All such fences shall be constructed only of wood, except as required by law around in-ground swimming pools; and fences may only be constructed with written approval of the Corporation in accordance with Article IV. No hedges or other bulk landscaping screens (in contrast with isolated trees or shrubbery) shall be planted forward of the building setback line for any Lot.

2. The Declaration shall hereinafter be deemed to be the Declaration as amended by this Amendment.

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

FOREST CREEK DEVELOPMENT, INC.

BY:

*[Signature]*  
Title Vice President

(SEAL)

ATTEST:

*[Signature]*

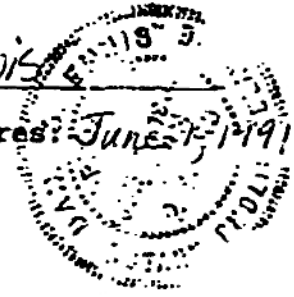
[Corporate Seal]

STATE OF DELAWARE )  
 )  
COUNTY OF NEW CASTLE ) SS.

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This instrument was acknowledged before me on October 3, 1989 by J. Scott M. Casano as Vice President of Forest Creek Development, Inc.

Dana B. Emmitz  
Notary Public  
My commission expires: June 7, 1991  
[Seal]



OCT 10 1989 1:25 PM  
RECORD FOR RECORD  
EVELYN T. ALEMAR, Recorder