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Michael E. Kozikowski

New Castle Recorder MISC

Prepared By & Return To:

Clifford B. Hearn, Jr.

606 Market Street

Wilmington, DE 19801

AMENDMENT TO DECLARATION
OF RESTRICTION

This Amendment is made this 27 day of August, 2004, by Forest Creek Development, Inc., a Delaware Corporation (the "Declarant").

WITNESSETH:

WHEREAS the Declarant prepared and executed a Declaration of Restrictions on July 20, 1989 for all that certain lot, piece or parcel of land comprising 31.02 acres of land, more or less situate in White Clay Creek Hundred, New Castle County and State of Delaware being more particularly described by a Record Major Subdivision Plan of "Timber Farms", recorded in the Office of the Recorder of Deeds in and for New Castle County, State of Delaware in Micro Film No. 9827; *BK 907 Pg 321 CBH*

WHEREAS in Article VII (Miscellaneous) Section (2) the right to waive, extinguish or reduce the requirements of all or any of the foregoing declarations, covenants, restrictions, conditions, agreements and/or provision was reserved to the Declarant with the consent of the Owners of fifty percent (50%) or more of the Lots (other than lots owned by the Declarant);

WHEREAS over fifty percent (50%) of the lot owners (116 lot owners out of 227 lots) in addition to these lots owned by the Declarant have agreed and have authorized the Declarant to amend Article V Section 8 by deleting the prohibition against sheds.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That the Declarant does covenant and declare that the Declaration of Restrictions shall be amended to amend Article V Section 8 there of to read as follows:

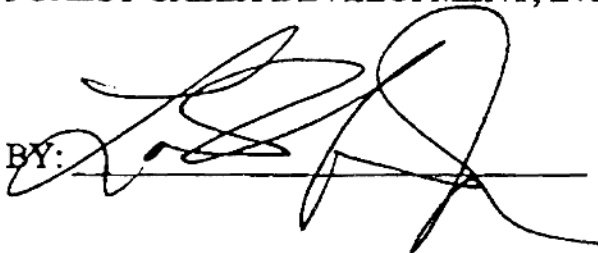
"No trailer, travel trailer, mobile home, tent, shack, garage or other outbuilding, temporary or semipermanent or permanent structure or shelter of any kind other than the dwelling house shall be erected, shall be placed or shall be utilized as a residence, either temporarily or permanently, on any Lot or Open Space."

"Sheds shall be approved upon proper application and review as provided in Article IV herein.

II. All other provisions of the Declaration of Restrictions shall remain as originally declared.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein,
Louis J Capano Jr. has caused its seal to be affixed and these presents to be signed
by its officers there unto duly authorized the day and year first written.

FOREST CREEK DEVELOPMENT, INC.

BY: 

Attest: 

(Corporate Seal)

