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MICHAEL B. BATTAGLIA
RECORDER OF DEEDS
NEW CASTLE CO. DE

Tax Parcel No.: 23-029.00-001

Prepared by Whittington and Algur
and return to: Suite 104, Three Mill Road
Wilmington, DE 19806

**AMENDMENT TO
DECLARATION OF RESTRICTIONS**

THIS AMENDMENT dated this *26th* day of June, 1998, to the Declaration of Restrictions by **FROG HOLLOW L.L.C. (DECLARANT)**, a Delaware limited liability company, dated November 3, 1997, and recorded in the Office of the Recorder of Deeds in and for New Castle County, Delaware, on November 4, 1997, in Deed Record 2353, Page 1 (the "Declaration of Restrictions") and the Architectural Review Standards attached to the Declaration of Restrictions as Exhibit A (the "ARC Guidelines").

WHEREAS, DECLARANT is seized of all that certain tract or parcel of land (the "Property") situate in Middletown, St. Georges Hundred, New Castle County, State of Delaware, as shown in Deed Record 2187, Page 132, and Deed Record 2293, Page 14, and as shown on the Record Major Subdivision Land Development Plan of The Legends, prepared by Melham Associates, Professional Engineers, dated February 7, 1997, revised through June 16, 1997, and recorded in the Office of the Recorder of Deeds in and for New Castle County, Delaware, in Microfilm No. 13253; and

WHEREAS, DECLARANT is in the process of finalizing and recording a revised subdivision plan which revises the westerly layout of the Property; and

WHEREAS, DECLARANT desires to revise the Declaration of Restrictions and the ARC Guidelines as set forth below.

NOW, THEREFORE, THIS AMENDMENT WITNESSETH, That for and in consideration of the premises, **DECLARANT**, for itself and on behalf of its heirs, successors and assigns, does hereby convey, covenant and declare that henceforth it stands seized of the hereinbefore mentioned and described Property under and subject to the following limitations, reservations, restrictions and conditions, which shall be covenants running with and binding upon the land.

1. Paragraph 1(e) of Article III of the Declaration of Restrictions is hereby deleted in its entirety and in lieu thereof the following Paragraph 1(e):

(e) An area on the rear of Lots 1-3, 5-7, 15-21, 26, 27, 29-43, 45-47, 49-51, 52-55, 57-59, 62-64, 67, 68, 70-72, 78-85, 95-99, 101-115, 117-119, 124, 125, 127, 128, 137, 138, 140, 141, 143, 144, 149-163, 165-168, 180, 181, 183, 184, 187-189, 196-237, 239-250, 252-271, 274-297, 305, 306, 314-325, 327-330, 344, 345, 355-357, 365-367 shall be designated as a golf course/open space buffer. This buffer shall be

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defined as that area on the Lot within twenty (20) feet of the back lot line, when and where back lot line is common with the golf course property. Furthermore, an area on the side of Lots 35, 68, 69, 78, 115, 116, 124, 239, 240, 257, 258, 269, 270, 275, 276, 315, 316, 327 and 328 shall be designated as a golf course/open space buffer. This buffer shall be defined as that area on the Lot within ten (10) feet of the side lot line, when and where side lot line is common with the golf course property. No fences, buildings or structures of any kind shall be placed within this area. Landscaping may be done within this area only if it strictly follows the Standards of the ARC. No landscaping other than that which is included in the Plan of Development is permitted without the prior approval of the ARC. Lot Owners specifically grant to **DECLARANT** the right, but not the obligation, to come onto this portion of the Lots and do such grading, landscaping, maintenance or other activities which, in the sole opinion of **DECLARANT**, is necessary or desirable to develop or maintain the Lands to be Retained By Owner.

2. Add a new Paragraph 1(f) of Article III of the Declaration of Restrictions, renumbering the balance of the paragraphs in Paragraph 1 as appropriate, as follows:

(f) An area on the rear of Lots 376-399, 412-418, 422-440 shall be designated as a golf course/open space buffer. This buffer shall be defined as that area on the Lot within twenty (20) feet of the back or side lot line (generally to be at the rear of the Lot, but adjoining Lands to Be Retained By Owner). No fences, buildings or structures of any kind shall be placed within this area. Landscaping may be done within this area only if it strictly follows the Standards of the ARC. No landscaping other than that which is included in the Plan of Development is permitted without the prior approval of the ARC. Lot Owners specifically grant to **DECLARANT** the right, but not the obligation, to come onto this portion of the Lots and do such grading, landscaping, maintenance or other activities which, in the sole opinion of **DECLARANT**, is necessary or desirable to develop or maintain the Lands to be Retained By Owner.

3. Paragraph A(11) of Article II of the Architectural Review Standards, Exhibit A to the Declaration of Restrictions, is hereby deleted in its entirety and in lieu thereof the following paragraph A(11):

(11) An area on the rear of Lots 1-3, 5-7, 15-21, 26, 27, 29-43, 45-47, 49-51, 52-55, 57-59, 62-64, 67, 68, 70-72, 78-85, 95-99, 101-115, 117-119, 124, 125, 127, 128, 137, 138, 140, 141, 143, 144, 149-163, 165-168, 180, 181, 183, 184, 187-189, 196-237, 239-250, 252-271, 274-297, 305, 306, 314-325, 327-330, 344, 345, 355-357, 365-367 shall be designated as a golf course/open space buffer. This buffer shall be defined as that area on the Lot within twenty (20) feet of the back lot line, when and where back lot line is common with the golf course property.

Furthermore, an area on the side of Lots 35, 68, 69, 78, 115, 116, 124, 239, 240, 257, 258, 269, 270, 275, 276, 315, 316, 327 and 328 shall be designated as a golf course/open space buffer. This buffer shall be defined as that area on the Lot within ten (10) feet of the side lot line, when and where side lot line is common with the golf course property. No fences, buildings or structures of any kind shall be placed within this area. Landscaping may be done within this area only if it strictly follows the Standards of the ARC. No landscaping other than that which is included in the Plan of Development is permitted without the prior approval of the ARC. Lot Owners specifically grant to **DECLARANT** the right, but not the obligation, to come onto this portion of the Lots and do such grading, landscaping, maintenance or other activities which, in the sole opinion of **DECLARANT**, is necessary or desirable to develop or maintain the Lands to be Retained By Owner.

2. Add a new Paragraph A(12) of Article II of the Architectural Review Standards, Exhibit A to the Declaration of Restrictions, renumbering the balance of the paragraphs in Paragraph A as appropriate, as follows:

(12) An area on the rear of Lots 376-399, 412-418, 422-440 shall be designated as a golf course/open space buffer. This buffer shall be defined as that area on the Lot within twenty (20) feet of the back or side lot line (generally to be at the rear of the Lot, but adjoining Lands to Be Retained By Owner). No fences, buildings or structures of any kind shall be placed within this area. Landscaping may be done within this area only if it strictly follows the Standards of the ARC. No landscaping other than that which is included in the Plan of Development is permitted without the prior approval of the ARC. Lot Owners specifically grant to **DECLARANT** the right, but not the obligation, to come onto this portion of the Lots and do such grading, landscaping, maintenance or other activities which, in the sole opinion of **DECLARANT**, is necessary or desirable to develop or maintain the Lands to be Retained By Owner.

IN WITNESS WHEREOF, the said **FROG HOLLOW L.L.C.**, hath caused its name to be hereunto set, the day and year first above written.

FROG HOLLOW L.L.C.

Deborah B. Cunningham BY: [Signature]
Witness Managing Member

