

**AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS
CHERRY BROOK HOMEOWNERS' ASSOCIATION**

THIS AMENDMENT, made as of this ___ day of _____, 2017 by the Cherry Brook Homeowners' Association, **(the "'Association")**.

WHEREAS, pursuant to a certain Declaration of Covenants, Conditions and Restrictions **(the "'Declaration")**, executed on April 15, 1994 and recorded in the Office of the Recorder of Deeds of Washington County, Pennsylvania **(the "'Recorder's Office")** in Deed Book Volume 2578 page 552, certain real estate in the Township of Cecil, County of Washington and Commonwealth of Pennsylvania was declared to be subject to the easements, restrictions, covenants and conditions contained in the Declaration, under the name "Cherry Brook Homeowners' Association, a not-for-profit corporation"; and

WHEREAS, the Owners of the Association desire to amend the Declaration to the construction, erection or placement of sheds on Lots upon which a Single Family Home has been constructed; and

WHEREAS, pursuant to the terms of Article XVII, Section 3 of the Declaration, this Amendment was submitted to the Owners and agreed to by Owners of Lots representing at least sixty-seven percent (67%) of the votes eligible to be cast by the Members of the Association; and

NOW THEREFORE, be it known that the Association does officially adopt, file and record the following Amendment to the Declaration of Covenants, Conditions and Restrictions to which all of the Owners shall be subject:

1. The foregoing recitals are incorporated herein and made a part hereof, as and for the agreement of the parties.
2. Article XI, Section 1 paragraph (L) of the Declaration is hereby deleted in its entirety, and in lieu thereof, the following provisions are inserted:

(L) Structures. Except as specifically permitted as provided in this Amendment, no structure of a temporary character, or dog house, fenced dog run, animal pen, trailer, tent, lean-to, shack, garage, barn, shed or other out-building shall be erected, constructed, placed or used on any Lot at any time either temporarily or permanently.

Notwithstanding the foregoing, the Owner of a Lot upon which a Single Family Home has been erected may be permitted to erect a shed on such Lot, subject to the following conditions:

1. The owner shall have obtained prior written approval by the Board of Directors, in accordance with Article X Section 2 of the Declarations.
2. The construction, erection or placement of any structure in connection herewith shall comply with all relevant building codes.
3. The structure must be placed either under a deck attached to the Single Family Home or at least five (5) feet from the Single Family Home.
4. All structures shall be of similar color and style as the Single Family Home erected on such Lot, blend in with its surroundings, or otherwise be approved by the Board of Directors.
5. For a structure that is not placed under a deck, the Lot Owner must obtain an acknowledgment of receipt of prior notice of such application from all Owners (if applicable) of all adjacent Lots (both sides and rear). This acknowledgment may be in the form of a written consent of the adjoining Lot Owners to the application, or where the applicant is unable to obtain such consent a receipt for the certified mailing of such notice to the adjoining Lot Owners.
6. All structures constructed, erected or placed as contemplated herein shall be subject to the same maintenance restrictions and obligations as the Single Family Home. The Association reserves the right to inspect the structure on a regular basis to ensure that it is properly maintained, and is free from chipped or peeling paint or from rust or other indications of decay or neglect.
7. All stand-alone structures must be wood framed and constructed of brick, wood, or vinyl sided. Wood sided sheds must be of T1-11 or similar or superior treated siding that is treated and sealed and is superior to traditional plywood siding. The wood panels should resist cracking, peeling separating, chipping, and flaking. If the shed is constructed of brick, then the color of the brick must match the color of the house brick or vinyl that properly accents the brick. The roof must be constructed with shingles that match the house shingles.
8. Utilities are optional, it is the home owner's responsibility to abide by the zoning and code restrictions and get permission from Cecil Township for utilities.

9. All items must be stored within the shed. All sheds must have a locking mechanism and be closed and locked at all times except when being used to place things in or take things out of the shed.
 10. Home Owners may erect only one shed on their lot.
 11. No sheds may be constructed, erected or placed upon a Lot which contains a Townhome.
3. All capitalized terms used herein, to the extent not otherwise defined herein, shall have the meanings for such terms as set forth in the Declaration.

CERTIFICATION

The undersigned officer of Cherry Brook Homeowners' Association hereby certifies that the foregoing Amendment to the Declaration of Covenants, Conditions and Restrictions of Cherry Brook Homeowners' Association has been duly adopted by Members to which at least sixty-seven percent (67%) of the votes eligible to be cast in the Association are allocated.

IN WITNESS, the execution hereof as of the day and year first above written.

Cherry Brook Homeowners' Association

By: _____

Print: Brad Blumfeldt

Its: President

By: _____

Print: Dorothy Shultz

Its: Secretary/Treasurer

ACKNOWLEDGEMENT

STATE OF PENNSYLVANIA
COUNTY OF ALLEGHENY

On this ___ day of _____, 2017, before me a Notary Public, the undersigned officers, personally appeared Brad Blumfeldt and Dorothy Shultz who acknowledged themselves to be President and Secretary/Treasurer of the Cherry Brook Home Owners Association and being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the associated by themselves as President and Secretary/Treasurer.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public

Commission Expires: _____