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AMENDMENT TO DECLARATION OF RESTRICTIONS

CLEAR CREEK AT LEXINGTON FARMS

Clear Creek Development Company, L.L.C., a Delaware limited liability company, as Declarant, hereby executes this Instrument as an amendment to a Declaration of Restrictions dated October 21, 1993 and recorded October 27, 1993 in the Office of the Recorder of Deeds in and for New Castle County in Deed Book 1612, Page 114 ("the Declaration"):

1. The Declaration, as originally executed and recorded, refers to Exhibit "A", to be attached thereto, which Exhibit was intended as a legal description for the premises bound by the Declaration, namely an approved subdivision known as Clear Creek at Lexington Farms, Pencader Hundred, New Castle County, Delaware, as more particularly described on a Record Major Subdivision Plan for Clear Creek at Lexington Farms recorded in the office aforesaid in Microfilm No. 11028.
2. The Declaration inadvertently, as executed and recorded, did not have Exhibit "A" attached thereto.
3. The Declaration is hereby amended by adding thereto as Exhibit "A" thereof, the legal description for Clear Creek at Lexington Farms. Said Exhibit "A" is in the form of Exhibit "1" attached hereto and incorporated by reference into this Instrument.
4. In all other respects, the Declaration continues with its original terms.

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5. Declarant hereby certifies that pursuant to the terms of the Declaration, it has the legal right to amend the Declaration.

IN WITNESS WHEREOF the Declarant has set its hand and seal to this Amendment to Declaration this 2nd day of February, 1994.

CLEAR CREEK DEVELOPMENT CO., L.L.C.

BY: Mark L. Handler
MARK L. HANDLER, President

ATTEST: David Roebert
DAVID ROEBERT, Secretary

STATE OF DELAWARE)
) SS.
NEW CASTLE COUNTY)

BE IT REMEMBERED that on this 2nd day of February, 1994, personally came before me, the Subscriber, a Notary Public, for the State and County aforesaid, MARK L. HANDLER, President of CLEAR CREEK DEVELOPMENT CO., L.L.C., a limited liability company of the State of Delaware, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed and the act and deed of said corporation, and that the signature affixed is that of the President thereto, in his own proper handwriting and the seal affixed is the common seal of said limited liability company and that his act of sealing, executing, acknowledging and delivering said Indenture was duly authorized by a resolution of the Members of said limited liability company.

GIVEN under my hand and seal of office the day and year aforesaid.

Mark L. Handler
NOTARY PUBLIC
my commission expires March 19, 1994

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EXHIBIT "1" to AMENDMENT TO DECLARATION OF RESTRICTIONS

and

EXHIBIT "A" to DECLARATION OF RESTRICTIONS

LEGAL DESCRIPTION

ALL that certain piece, parcel or tract of land situate in Pancader Hundred, New Castle County, State of Delaware, being Clear Creek at Lexington Farms according to the Record Major Subdivision Plan of Clear Creek at Lexington Farms as recorded in the Recorder of Deeds Office in and for New Castle County on microfilm number 11028 and as per a plan prepared by Ramesh C. Batta Associates, P.A., Consulting Engineers and Land Surveyors, plan no. 83406-C-6823, and more particularly described as follows, to wit:

BEGINNING at a point in the title line of Denny Road, said point being a common corner for lands now or formerly of Charles L. Valenick and lands herein being described. Thence, from said Point of Beginning the following seventeen courses and distances:

1. with lands now or formerly of Charles L. Valenick, South 04° 23' 56" East, 2563.03 feet to a corner for lands now or formerly of Reston Corporation, thence with same the next four courses and distances;
2. South 83° 49' 48" West, 317.70 feet to a point, thence;
3. South 82° 58' 48" West, 825.08 feet to a point, thence;
4. South 84° 29' 48" West, 1041.04 feet to a point, thence;
5. South 85° 14' 48" West, 113.81 feet to a corner for lands now or formerly of Priscilla E. and Richard Denoss, thence, with same;
6. North 13° 22' 33" West, 483.84 feet to a point in the title line of Denny Road, thence, with the next four courses and distances;
7. in part with lands now or formerly of Robert E. Willey and wife and in part with lands now or formerly of Herbert Beck, Jr. and Mark Beck, North 73° 55' 51" East, 200.00 feet to a corner for the aforesaid Beck, thence, in part with same and in part with lands now or formerly of Harold F. and Edith Wilkins;
8. North 66° 17' 51" East, 124.10 feet to a corner for the aforesaid Wilkins, thence, with same;
9. North 50° 00' 21" East, 130.00 feet to a corner for the aforesaid Wilkins, thence in part with same, in part with lands now or formerly of Betty A. Sweetman and in part with lands now or formerly of George Biddle, Jr.;

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10. North 43° 29' 51" East, 460.00 feet to a corner for lands now or formerly of George Biddle, Jr., thence, in part with same and in part with lands now or formerly of Johann W. Blagshko;
11. North 46° 30' 09" West, 1663.72 feet to a corner of lands now or formerly of Charles J Rudewick, thence, in part with same and in part with lands now or formerly of Ronald G. Gray;
12. North 19° 07' 40" East, 405.24 feet to a corner for Rose Hill at Lexington Farms Subdivision, thence, with same;
13. South 54° 02' 32" East, 1186.36 feet to a corner for lands now or formerly of William E. Harrison, thence, with same;
14. South 68° 45' 09" East, 600.00 feet to a point in the title line of Denny Road, thence, with same the next three courses and distances;
15. In part with the aforesaid Harrison, in part with lands now or formerly of Michael Kump and in part with Rose Hill at Lexington Farms Subdivision, North 21° 14' 51" East, 1114.69 feet to a corner for Rose Hill at Lexington Farms Subdivision, thence, with same the next two courses and distances;
16. North 30° 44' 32" East, 105.83 feet to a point thence;
17. North 83° 46' 18" East, 577.65 feet to the Point of Beginning.

CONTAINING within said metes and bounds 104.4572 acres of land, be they the same, more or less.

SUBJECT to any and all easements, restrictions and conditions as noted on the aforementioned Record Major Subdivision Plan of Clear Creek at Lexington Farms.

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