



R 02191-0047 Nov 30, 2016
SPRINGFIELD COMMONS HOMEOWNERS ASSN
SPRINGFIELD COMMONS

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RECORDER OF DEEDS

Joseph J. [Signature]
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GTW/Assoc

**AMENDMENT TO THE DECLARATION OF PLANNED COMMUNITY
OF**

**SPRINGFIELD COMMONS,
A Planned Community
Harris Township, Pennsylvania**

**AMENDMENT TO
DECLARATION OF PLANNED COMMUNITY
SPRINGFIELD COMMONS, A PLANNED COMMUNITY**

THIS AMENDMENT is made this 28 day of November, 2016, to the Declaration of Planned Community of Springfield Commons, a Planned Community, by the Springfield Commons Homeowners Association (hereinafter referred to as "Association").

WITNESSETH:

WHEREAS, pursuant to a certain Declaration of Planned Community dated August 26, 2014, executed by Declarant, GTW Associates and the owners of record of units within the Springfield Commons Planned Community, and recorded in the Office of the Recorder of Deeds for Centre County, in Record Book 2166, Page 131, Declarant submitted to the provisions of the Pennsylvania Planned Community Act, 68, Pa.C.S.A. Section 5101, et seq., as amended (1993) (hereinafter referred to as the "Act"), certain real estate described in the Declaration to be known as Springfield Commons, a Planned Community; and

WHEREAS, the Declarant caused plats and plans of the new planned community to be recorded on April 24, 2015 in Centre County Plat Book 89, Page 126; and

WHEREAS, the Plats and Plans provided for common areas that included a 15 foot separation area between each of the individual single family and two family dwellings established by those Plats and Plans; and

WHEREAS, during code review of an application for a building permit an ambiguity arose concerning the Declaration and Plats and Plans related to the ability to construct structures in the 15 foot separation area; and

WHEREAS, the Declaration provides for its amendment in accordance with the procedures specified in Section 5219 of the Act; and

WHEREAS, Section 5219(f) of the Act authorizes technical corrections to cure ambiguities and to correct or supplement any provision of the Declaration, including the Plats and Plans, that is missing or is inconsistent with other provisions of the Declaration or Plats and Plans upon receipt of an opinion from independent legal counsel to the effect that the proposed amendment is permitted by the terms of subsection (f); and

WHEREAS, the Executive Board has received the opinion of independent counsel, and now wishes to amend the Declaration and Plats and Plans to remove the ambiguity so that individual units are able to pass the requirements of the code inspector.

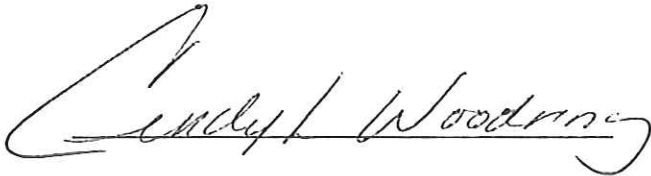
NOW, THEREFORE, pursuant to the Declaration and the Act, the Executive Board hereby amends the Declaration as follows:

1. The Declaration is amended with the addition of language in Article III of the Declaration, allocation and restriction of common elements and limited common elements, to provide a new Section 3.2.1. as follows, "Restriction on Structures Within Open Areas. At no time may any structure be erected within the 15 foot separation area that exists between the individual single family and two family dwelling units as shown on the Plats and Plans of the planned community. That fifteen foot separation area shall exist in perpetuity, with no above ground structure built within that area. This "no build area" shall extend the full length of the side property lines of the adjacent units."


2. Except as specifically amended hereby, the Declaration shall remain in full force and effect, and all terms used herein shall have the meaning set forth and interpreted in accordance with the Declaration.

IN WITNESS WHEREOF, the Springfield Commons Homeowners Association, by the authorized signature of its president, executes this document on 28 day of November, 2016.

WITNESS:



SPRINGFIELD COMMONS
HOMEOWNERS ASSOCIATION,
President


Robert E. Conn

ATTEST:


Christine Pratt Coleman, Secretary

COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF CENTRE } SS:

On this 28 day of November, 16, before me, a notary public, the undersigned officer, personally appeared Robert E. Conn, President of the Springfield Common Homeowners Association, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within indenture, and acknowledged that he executed the same for the purpose therein contained.

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


Notary Public

