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MICHAEL E. DIAGLIA
RECORDER OF DEEDS
NEW CASTLE CO. DE

(Part of) Tax Parcel No.: 11-046.00-028
This Instrument Prepared by and to be
Returned to: Richard P. Beck, Esquire,
Morris, James, Hitchens & Williams
P.O. Box 2306, Wilmington, Delaware 19899
S. 95065-0065

BRENNAN ESTATES

FOURTH AMENDMENT TO DECLARATION OF RESTRICTIONS

WHEREAS, by Declaration of Restrictions dated October 14, 1996 (the "Declaration"), recorded in the Office of the Recorder of Deeds in and for New Castle County, Delaware, in Deed Book 2185, Page 247, Blenheim Brennan, L.L.C., a Delaware limited liability company ("Declarant"), imposed certain restrictive covenants, easements and agreements upon and with respect to Lots 106 through and including 342 (the "Lots"), and all streets, drainage areas and open spaces (hereinafter collectively "Common Area") appurtenant thereto, as shown on Microfilm No. 12612 (the "Plan") in the Office aforesaid, and as outlined on a portion of the Plan appended as Exhibit "A" to the Declaration (such Lots and Common Area being collectively called "Brennan Estates, Phase 1" or the "Community" or the "Planned Unit Development"); and

WHEREAS, in order to satisfy certain requirements imposed by one or more agencies of the federal government (Department of Housing and Urban Development, and the Veterans Administration) as a condition of insuring homeowner mortgages on Lots, Declarant made and recorded a First Amendment to Declaration of Restrictions (the "First Amendment") which appears in the Office aforesaid in Deed Book 2262, Page 0167;

WHEREAS, Declarant thereafter further amended the Declaration of Restrictions as set forth in a Second Amendment to Declaration of Restrictions dated October 14, 1996 (the "Second Amendment") which appears in the Office aforesaid in Deed Book 2377, Page 0136; and

WHEREAS, Declarant thereafter further amended the Declaration of Restrictions as set forth in a Third Amendment of Declaration of Restrictions dated October 14, 1996 (the "Third Amendment") which appears in the Office aforesaid in Deed Book 2693, Page 0098; and

WHEREAS, Declarant now wishes to further amend the Declaration of Restrictions (which term as hereinafter used shall mean the Declaration as amended by the First Amendment, the Second Amendment, the Third Amendment and this Fourth Amendment) pursuant to the rights of expansion reserved by Declarant in Article V of the Declaration and elsewhere referenced therein, in order to include certain additional portions of Brennan Estates within the Community that is governed by the Declaration of Restrictions;

NOW, THEREFORE, intending hereby for itself, its successors, assigns, grantees and all subsequent Lot Owners, legal or equitable ("Owners") to be legally bound under seal, and further intending that the Declaration of Restrictions as hereby amended shall impose covenants, reservations, restrictions, easements, limitations and agreements upon the Community which shall run with the land, Declarant hereby amends the Declaration by this Fourth Amendment to Declaration of Restrictions ("Fourth Amendment") as follows:

A. Legal Description. The legal description for the Community which is subject to the Declaration of Restrictions, expressed in terms of courses and distances or by referencing recorded subdivision plans, shall henceforth consist of (i) Exhibit A to the Declaration, (ii) Exhibit 1 to the First Amendment, (iii) the Legal Descriptions appended as Exhibit 2 to the Second Amendment, (iv) the Legal Descriptions attached to the Third Amendment and (v) the lots, parcels or tracts of land, together with any improvements thereon, hereby designated as the "Arbours" and "Woodlands" sections of the Brennan Estates subdivision on (a) the Record Major Subdivision Plan for Brennan Estates prepared by Ramesh C. Batta Associates, P.A., dated May 30, 1995, last revised 9-14-95, project number 84284, and of record in the Office of the Recorder of Deeds in and for New Castle County, Delaware in Microfilm number 12612, recorded on October 16, 1995; (b) the Record Resubdivision Plan for Brennan Estates prepared by Karins Consulting Engineers, dated May 15, 1998, last revised 8-18-96, drawing number 1362-RE4, and of record in the Office of the Recorder of Deeds in and for New Castle County, Delaware in Microfilm number 13651, recorded on September 3, 1998; and (c) the Record Resubdivision Plan for Brennan Estates prepared by

Karins Consulting Engineers, dated August 30, 1999, last revised 6-23-00, drawing number 1362-RE, and of record in the Office of the Recorder of Deeds in and for New Castle County, Delaware in Microfilm number 14274, recorded on August 17, 2000, (to the extent that the subsequent record plans modified the boundaries of any lot the boundaries shown on the most recent record plan shall prevail) all of which Legal Descriptions are hereby made a part hereof and of the Declaration of Restrictions by reference, and shall together constitute the legal description of and for the Community, subject to further amendment in accordance with the Declaration of Restrictions.

B. The Lots. In addition to the Lots submitted to the Declaration of Restrictions as listed in the original Declaration and confirmed in the First Amendment, Second Amendment, and Third Amendment, the following additional Lots are hereby submitted to the Declaration of Restrictions, namely:

Lots 1 through and including 105, 409 through and including 416, 805 and 806 as shown on Microfilm Numbers 12612, 13651 and 14274 and more commonly known as The "Arbours" section of Brennan Estates; and

Lots 728 through and including 804 as shown on Microfilm Number 14274 and more commonly known as The "Woodlands" section of Brennan Estates.

(collectively the "additional Lots"). The term "Lot Owner" or "Owner" shall henceforth mean and include any owner, legal or equitable, of any of the additional Lots, as well as any previously submitted Lots.

C. Restrictive Covenants. The additional Lots, together with all other portions of Brennan Estates contained within the Legal Descriptions appended hereto, are hereby submitted to all of the provisions of the Declaration of Restrictions except as otherwise expressly noted herein, with the same force and effect as if such Lots had been named and such Legal Descriptions had been included (subject to the same exception) in the Declaration of Restrictions heretofore recorded and amended.

D. Effect of Amendment. As heretofore and as hereby amended, the provisions of the Declaration of Restriction are hereby ratified and confirmed. Nothing herein shall affect any Lots, Common Area or other portions of Brennan Estates lying outside the Legal Descriptions appended to the original Declaration, the First Amendment, the Second Amendment, the Third Amendment and this Fourth Amendment.

IN WITNESS WHEREOF, Declarant has caused this Fourth Amendment to be duly executed, sealed, witnessed, acknowledged and delivered for recordation, as of this 22nd day of November, 2000.

In the Presence of:

BLENHEIM BRENNAN, L.L.C.

Dana G. Adlesic

By: Jay N. Sonecha (SEAL)
Authorized Member

STATE OF DELAWARE)

: SS.

NEW CASTLE COUNTY)

BE IT REMEMBERED, that on this 22nd day of November, 2000, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, Jay N. Sonecha, Authorized Member of Blenheim Brennan, L.L.C., a Delaware limited liability company, party to this Indenture, personally known to me to be such, and acknowledged this Indenture to be his act and deed and the act and deed of said limited liability company, that the signature of the Authorized Member thereto is in his own proper handwriting, and that his act of sealing, executing, acknowledging and delivering said Indenture was duly authorized by the limited liability company.

GIVEN under my Hand and Seal of Office, the day and year aforesaid.

Dana G. Adlesic
Notary Public
Print Name: **DANA A. ADLESIC**
NOTARY PUBLIC-DELAWARE
APPOINTED MAY 18, 1999
My Commission Expires **MAY 17, 2003**