

County of Northumberland



MARY L. ZIMMERMAN  
REGISTER OF WILLS, RECORDER OF DEEDS  
CLERK OF ORPHANS' COURT  
Courthouse, 201 Market Street  
Sunbury, Pennsylvania 17801  
(570) 988-4143

Instrument Number - 201404274

Recorded On 4/7/2014 At 1:06:45 PM

\* Instrument Type - MISCELLANEOUS

Invoice Number - 202718

\* Grantor - WESTBRANCH REAL ESTATE DEVELOPMENT L P

\* Grantee - WESTBRANCH REAL ESTATE DEVELOPMENT L P

\* Customer - WESTBRANCH REAL ESTATE  
DEVELOPMENT LP

Book - 2540 Starting Page - 784

\* Total Pages - 7

\* FEES

STATE WRIT TAX	\$0.50
RECORDING FEES -	\$17.00
RECORDER OF DEEDS	
COUNTY ARCHIVES FEE	\$2.00
ROD ARCHIVES FEE	\$3.00
TOTAL PAID	\$22.50

This is a certification page  
**DO NOT DETACH**  
This page is now the first page  
of this legal document.

RETURN DOCUMENT TO:  
WESTBRANCH REAL ESTATE DEVELOPMENT LP

I hereby CERTIFY that this document is  
recorded in the Recorder's Office of  
North'd County, Pennsylvania.



Mary L. Zimmerman  
Recorder of Deeds

\* - Information denoted by an asterisk may change during  
the verification process and may not be reflected on this page.

Book: 2540 Page: 784



### THIRD AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS FOR ROLLING RIDGE PRD

THIS THIRD AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS FOR ROLLING RIDGE PRD (the "**Third Amendment**") is made as of the 3<sup>rd</sup> day of APRIL, 2014, by the **Westbranch Real Estate Development, L.P.** (the "**Successor Declarant**").

#### RECITALS

The background of this Third Amendment is as follows:

R.1. Pursuant to a Declaration of Protective Covenants for Rolling Ridge PRD dated August 7, 1995 and recorded in the Recorder of Deeds Office in and for Northumberland County, Pennsylvania on August 14, 1995 in Record Book 1014, page 055 (the "**Initial Declaration**"), John Fogarty Development Corporation, a Pennsylvania corporation (the "**Initial Declarant**") submitted certain property identified in Exhibit "A" to the Initial Declaration ("**R.R. Phase III**") located in the Borough of Milton, Northumberland County, Pennsylvania to the terms and conditions of the Initial Declaration, thereby creating a planned community known as "Rolling Ridge PRD Phase III" (the "**Community**").

R.2. The Initial Declaration was subsequently amended by the following:

- (a) First Amendment to Declaration of Protective Covenants for Rolling Ridge PRD dated March 9, 1998 and recorded in the Recorder of Deeds Office in and for Northumberland County, Pennsylvania on March 10, 1998 in Record Book 1147, page 266 (the "**First Amendment**").
- (b) Second Amendment to Declaration of Protective Covenants for Rolling Ridge PRD dated April 28, 1998 and recorded in the Recorder of Deeds Office in and for Northumberland County, Pennsylvania on April 28, 1998 in Record Book 1156, page 198 (the "**Second Amendment**" and, together with the Initial Declaration and the First Amendment, the "**Declaration**").

R.3. Pursuant to a Deed from the Initial Declarant to the Successor Declarant dated March 24, 2006 and recorded in the Recorder of Deeds Office in and for Northumberland County, Pennsylvania on April 7, 2006 at Instrument No. 200605867, the Initial Declarant transferred to the Successor Declarant the property identified on Exhibit A attached hereto and incorporated herein by reference (the "**Additional Real Estate**").

R.4. The Additional Real Estate is further described, and is subject to, the Rolling Ridge Final Plan for Phase 2A, 2B, 2C as approved by the Borough of Milton and recorded in the Northumberland County Recorder of Deeds Office on December 12, 2008 in Plan Book 52, Pages 30 – 44 (the “**Initial Subdivision Plan**”), as such Initial Plan was amended by the Rolling Ridge Plan Phase 2A-A as approved by the Borough of Milton and recorded in the Northumberland County Recorder of Deeds Office on February 25, 2014 in Plan Book 61, Pages 44 - 46 (the “**Phase 2A-A Subdivision Plan**” and, together with the Initial Subdivision Plan, the “**Subdivision Plan**”).

R.5. The Declaration provides that properties abutting or adjacent to R.R. Phase III may be made subject to the Declaration by an instrument in writing applying the Declaration being recorded in the Public Records of Northumberland County, Pennsylvania.

R.6. The Additional Real Estate abuts or is adjacent to R.R. Phase III and Successor Declarant wishes to subject the Additional Real Estate to the terms and conditions of the Declaration.

NOW THEREFORE, in accordance with Article VIII of the Declaration and INTENDING TO BE LEGALLY BOUND HEREBY, the Successor Declarant hereby amends the Declaration as follows:

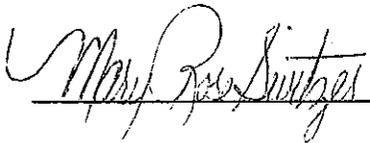
1. **RECITALS**. The Recitals set forth above are incorporated herein by reference as if set forth in full.
2. **ADDITIONAL REAL ESTATE**. The Successor Declarant hereby submits the real estate identified on Exhibit A, which is attached hereto and incorporated herein by reference as if set forth in full, to the terms, conditions, covenants, restrictions and easement of the Declaration.
3. **EFFECTIVE DATE**. This Third Amendment shall be effective at the time of recording in the Recorder of Deeds Office of Northumberland County, Pennsylvania.
4. **REMAINDER OF DECLARATION**. Except as specifically modified herein, the Declaration as previously amended remains in full force and effect in accordance with its terms.

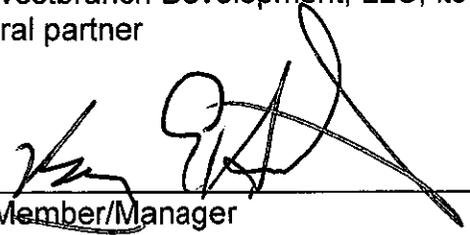
IN WITNESS WHEREOF, the Successor Declarant has executed this Third Amendment as of the day and year first above written.

SUCCESSOR DECLARANT:

WITNESS:

WESTBRANCH REAL ESTATE DEVELOPMENT, LP  
By: Westbranch Development, LLC, its sole general partner

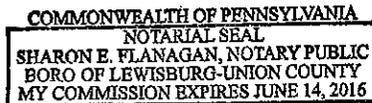
  
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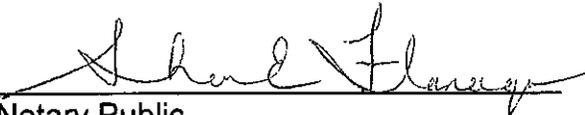
By:   
\_\_\_\_\_ Member/Manager

COMMONWEALTH OF PENNSYLVANIA :  
: SS:  
COUNTY OF UNION :

On this the 3RD day of APRIL, 2014, before me, a Notary Public, the undersigned, personally appeared BRADLEY E HAUBERT, who acknowledged himself to be a member/manager of Westbranch Development, LLC, the sole general partner of Westbranch Real Estate Development, LP, a Pennsylvania limited partnership, and that he, as such member/manager, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the limited partnership himself as such member/manager.

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

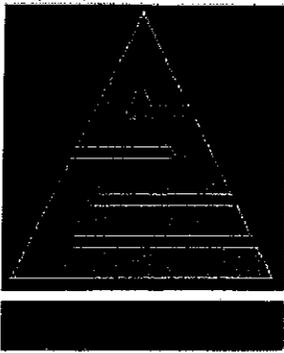


  
\_\_\_\_\_  
Notary Public  
My Commission Expires:  
(SEAL)

**EXHIBIT A**

Legal Description for Phase 2A-A

**SURVEYOR'S DESCRIPTION  
PHASE 2A-A  
OF BERKSHIRE COMMONS AT ROLLING RIDGE TOWNHOMES**



## Sweetland Engineering & Associates, Inc.

600 Science Park Road  
State College, PA 16801  
Phone: (814) 237-6518  
Fax: (814) 237-1488  
[www.sweetland-eng.com](http://www.sweetland-eng.com)

24 March 2014  
Job # 3109-AS

### SURVEYOR'S DESCRIPTION PHASE 2A-A OF ROLLING RIDGE

**ALL THAT CERTAIN PARCEL** of land shown as "Phase 2A-A" on plans prepared by Sweetland Engineering and Associates, Inc., dated 14 March, 2014 entitled "Rolling Ridge Phase 2A-A, 2A-B, 2B, 2C", more fully bounded and described as follows:

#### Phase 2A-A

**BEGINNING** at a point in the eastern right-of-way line of Golf Course Drive, a 50 foot wide right-of-way, at the common northwestern corner of Phase 2C and the southwestern corner of the herein described parcel;

**THENCE** along the eastern right-of-way line of Golf Course Drive N11°11'23"E, 614.50 feet to a point at the southwestern corner of Tax # 16-71;

**THENCE** along Tax # 16-71 and concluding along Phase 2B of Rolling Ridge S78°37'14"E, 405.42 feet to a point;

**THENCE** along Phase 2B of Rolling Ridge S36°23'20"E, 206.82 feet to a point at the common northwestern corner Phase 2A-B and the northeastern corner of the herein described parcel;

**THENCE** along Phase 2A-B of Rolling Ridge the following four (4) courses:

1. on an arc of a curve to the right having a radius of 200.00 feet, central angle of 85°52'03", chord bearing and distance S07°30'07"E 272.46 feet, an arc length of 299.73 feet to a point;  
**THENCE**
2. S50°25'40"W, 40.88 feet to a point; **THENCE**
3. on an arc of a curve to the left having a radius of 560.00 feet, central angle of 12°43'33", chord bearing and distance S44°03'54"W 124.12 feet, an arc length of 124.38 feet to a point;  
**THENCE**
4. S31°52'26"W, 129.22 feet to a point at the common southwestern corner Phase 2A-B, a point along the northerly line of Phase 2C and the southeastern corner of the herein described parcel;

**THENCE** along Phase 2C of Rolling Ridge the following five (5) courses:

1. N58°07'34"W, 194.92 feet to a point; **THENCE**
2. S32°04'33"W, 40.78 feet to a point; **THENCE**
3. N73°59'15"W, 86.61 feet to a point; **THENCE**
4. N29°43'34"W, 42.75 feet to a point; **THENCE**
5. N85°45'01"W, 126.47 feet to the point of **BEGINNING**

**CONTAINING** 7.79 acres of land gross area, be the same, more or less.

**UNDER AND SUBJECT TO** terms and conditions of the "Declaration of Protective Covenants of Rolling Ridge P.R.D." recorded in the Northumberland County Recorder's Office in deed book 1014 at Page 55 on 14 August 1995.

**UNDER AND SUBJECT TO** all easements, conditions, restrictions and covenants of record.