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Prepared by & return to:  
Preserve on the Broadkill, LLC  
210 Chandler Street  
Milton, DE 19968

**PRESERVE ON THE BROADKILL HOMEOWNERS ASSOCIATION, INC.**

SUPPLEMENTAL DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS NO. 3

PRESERVE ON THE BROADKILL HOMEOWNERS ASSOCIATION, INC.

SUPPLEMENTAL DECLARATION OF COVENANTS  
CONDITIONS AND RESTRICTIONS NO. 3

THIS SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS NO. 3 (the "Supplemental Declaration III"), made on this 15<sup>th</sup> day of December, 2005, by PRESERVE ON THE BROADKILL, LLC, a Delaware limited liability company ("Declarant A") and PARK CENTRAL, LLC, a Delaware limited liability company

WITNESSETH:

WHEREAS, Declarants' DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (the "Declaration") was duly recorded on May 15, 2003 in the Office of Recorder of Deeds, Sussex County, Delaware, and

WHEREAS, by a Supplemental Declaration duly recorded on October 7, 2004 and a second Supplemental Declaration duly recorded on May 31, 2005, both in the Office of Recorder of Deeds, Sussex County, Delaware, certain changes were made in the Declaration;

NOW THEREFORE, because of changing circumstances since the inception of the Preserve on the Broadkill project, particularly regarding the construction of houses and incorporating all the terms and conditions of the Declaration and Supplemental Declarations not inconsistent with the following, the following changes and amendments are made to the Declaration:

1. In accordance with Sections "3.03" and "13.03" of the Declaration, the Declarants and their respective Covenant Committees make the following amendments to the Declaration:

A. The following subsection is added to "Section 3.01":

(a) Construction Deposits. *At the time of submitting plans for the construction of a house or other material improvement subsequent to the completion of the house on any Lot in Phase I, the Lot Owner, except the Declarants or the Declarants' designees, shall deposit with the Association the sum of \$3,500 (except for Lots 20A to 23B that sum shall be for a pair of two lots to be allocated as the Owners decide) to be applied as follows: \$500 shall be applied to defray the costs of any architect engaged by the Covenant Committee or the Association to review plans and applications of the Lot Owner and to evaluate whether the proposed improvements comply with the Declaration and its Supplements; and, \$3,000 shall be applied to the cost of repair caused by construction work on the Lot as follows: (i) any damage to curbs, sidewalks and other site improvements; (ii) to correct any drainage problems and mudslides onto the roadway; and, (iii) maintenance of a clean building site. Any shortage in one category may be met by any overage in another category. If the total deposit is inadequate, the Lot Owner shall be responsible for the shortfall and shall pay the difference upon demand by the Association. Any undistributed excess remaining after one year following the issuance of a permanent Certificate of Occupancy shall be refunded to the Lot Owner. Where the plans provide for improvements after the completion of the house, the Association may, in its discretion, require less than the \$3,500 deposit.*

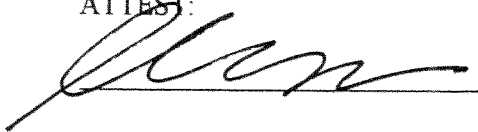
B. Section 3.02 (c) is amended to read as follows:

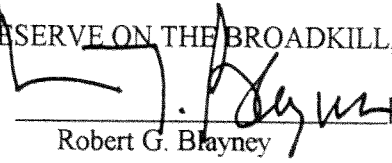
(c) Lot Coverage Ratio. Lots shall have a lot coverage ratio of not more than sixty (60) percent of the lot size. Lot coverage ratio is the quotient obtained by dividing the gross area of all buildings, structures and improvements on a lot by the gross lot area. Structures and improvements include, but are not limited to, balconies, swimming pools, gazebos, decks or patios which are raised eight inches or more above grade.

IN WITNESS WHEREOF, the undersigned, being the DECLARANT, have executed this instrument this 15th day of December, 2005.

Preserve on the Broadkill, LLC hereby executes this Declaration for the purpose of subjecting certain property to the covenants, conditions, and restrictions stated in this Declaration.

ATTEST:



PRESERVE ON THE BROADKILL, LLC  
By:  [SEAL]  
Robert G. Blayney

to wit:

On this 15th day of December, 2005, before me, the undersigned member, personally appeared Robert G. Blayney, known to me or satisfactorily proven to be the person whose name is subscribed to this written instrument, who acknowledged himself to be a member of Preserve on the Broadkill, LLC, being authorized to do so, he executed the foregoing instrument for the purposes therein contained, by signing the name of the LLC by himself as member.

GIVEN under my hand and seal this 15th day of December, 2005.

  
Notary Public

FRANCES E. HARRISON

Notary Public - State of Delaware

My Commission expires: My Comm. Expires Sept. 29, 2007

[NOTARY SEAL]

IN WITNESS WHEREOF, the undersigned, being the DECLARANT, have executed this instrument this 15th day of December, 2005.

Preserve on the Broadkill, LLC hereby executes this Declaration for the purpose of subjecting certain property to the covenants, conditions, and restrictions stated in this Declaration.

ATTEST:

Beverly White

PRESERVE ON THE BROADKILL, LLC

By: Milton M. Carrow [SEAL]  
Milton M. Carrow

to wit:

On this 15th day of December, 2005, before me, the undersigned member, personally appeared Milton M. Carrow, known to me or satisfactorily proven to be the person whose name is subscribed to this written instrument, who acknowledged himself to be a member of Preserve on the Broadkill, LLC, being authorized to do so, he executed the foregoing instrument for the purposes therein contained, by signing the name of the LLC by himself as member.

GIVEN under my hand and seal this 15th day of December, 2005.

Frances E. Harrison  
Notary Public

FRANCES E. HARRISON

Notary Public - State of Delaware

My Commission expires: My Comm. Expires Sept. 29, 2007.

[NOTARY SEAL]

IN WITNESS WHEREOF, the undersigned have executed this instrument this 30th day of ~~December, 2005.~~ JANUARY, 2006

Park Central, LLC hereby executes this Declaration for the purpose of subjecting certain property to the covenants, conditions, and restrictions stated in this Declaration.

ATTEST:

Frances E Harrison  
FRANCES E. HARRISON

Notary Public - State of Delaware  
My Comm. Expires Sept. 29, 2007

PARK CENTRAL, LLC

By: Robert G. Blayney [SEAL]  
Robert G. Blayney

to wit: Claudia Holt

On this 30th day of ~~December, 2005,~~ JANUARY 2006 before me, the undersigned member, personally appeared Robert G. Blayney, known to me or satisfactorily proven to be the person whose name is subscribed to this written instrument, who acknowledged himself to be a member of Park Central, LLC, being authorized to do so, he executed the foregoing instrument for the purposes therein contained, by signing the name of the LLC by himself as member.

GIVEN under my hand and seal this 30th day of ~~December, 2005.~~ JANUARY 2006

Frances E Harrison  
Notary Public

FRANCES E. HARRISON  
Notary Public - State of Delaware  
My Comm. Expires Sept. 29, 2007

My Commission expires: \_\_\_\_\_

[NOTARY SEAL]

IN WITNESS WHEREOF, the undersigned have executed this instrument this 30th day of ~~December, 2005.~~ JANUARY 2006

Park Central, LLC hereby executes this Declaration for the purpose of subjecting certain property to the covenants, conditions, and restrictions stated in this Declaration.

ATTEST:

PARK CENTRAL, LLC

*Frances E. Harrison*

By: *[Signature]* [SEAL]  
Elizabeth A. Zando

FRANCES E. HARRISON

Notary Public - State of Delaware

My Comm. Expires Sept. 29, 2007.

to wit: *Claudia [Signature]*

On this 30th day of ~~December, 2005,~~ JANUARY 2006 before me, the undersigned member, personally appeared Elizabeth A. Zando, known to me or satisfactorily proven to be the person whose name is subscribed to this written instrument, who acknowledged herself to be a member of Park Central, LLC, being authorized to do so, she executed the foregoing instrument for the purposes therein contained, by signing the name of the LLC by herself as member.

GIVEN under my hand and seal this 30th day of ~~December, 2005.~~ JANUARY, 2006

*Frances E. Harrison*

Notary Public

FRANCES E. HARRISON

Notary Public - State of Delaware

My Commission expires: My Comm. Expires Sept. 29, 2007

[NOTARY SEAL]

RECORDER OF DEEDS  
JOHN F. BRADY

06 FEB -2 PM 3:51

SUSSEX COUNTY  
DOC. SURCHARGE PAID