

SECOND SUPPLEMENTARY DECLARATION

(for Purposes of Adding Phase 11 to Chesterfield Garden Condominium)

THIS SUPPLEMENTARY DECLARATION, made and entered into this 15th day of August, 1985, by Ryan Homes, Inc. a corporation organized and existing under the laws of the State of Pennsylvania, hereinafter sometimes called the "Declarant":

WHEREAS, the Declarant is the owner in fee simple of certain land and premises and the buildings constructed or to be constructed thereon (hereinafter "the Property"), located in Anne Arundel County, Maryland, and more particularly described on Exhibit A-2 attached hereto and made a part hereof; and

WHEREAS, prior to the recordation hereof, on the 29th day of November, 1984, the Declarant filed for record in the Land Records of Anne Arundel County, Maryland, a certain Declaration, with Exhibits, which Declaration is recorded in Liber 3820 at folio 314 among the aforesaid Land Records; and

WHEREAS, prior to the recordation hereof, on the 26th day of March, 1985, the Declarant filed for record in the Land Records of Anne Arundel County, Maryland, a certain First Supplementary Declaration, with Exhibits, which Declaration is recorded in Liber 3865 at folio 737 among the aforesaid Land Records; and

WHEREAS, the Declaration and First Supplementary Declaration hereinabove identified are hereinafter collectively referred to as the "Declaration"; and

WHEREAS, prior to the recordation hereof, the Declarant has filed for record among the Land Records for Anne Arundel County, Maryland, the following documents hereinafter collectively referred to as the "Condominium Plat":

RECORD FEE 28.00

POSTAGE .50
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SEPT 18 85

- (a) a certain Condominium Plat, consisting of two (2) sheets showing Phase 1B of "Chesterfield Garden Condominium", which Condominium Plat is recorded in Condominium Plat Book 26, Page 35, beginning at Plat E-1285 among the Land Records of Anne Arundel County, Maryland; and
- (b) a certain Condominium Plat, consisting of two (2) sheets showing Phase 1A of "Chesterfield Garden Condominium", which Condominium Plat is recorded in Condominium Plat Book 27, Page 8, beginning at Plat E-1328 among the Land Records of Anne Arundel County, Maryland; and
- (c) a certain Condominium Plat, consisting of two (2) sheets showing Phase 11 of "Chesterfield Garden Condominium", which Condominium Plat is recorded in Condominium Plat Book 29, Page 20-21, beginning at Plat 1420 among the Land Records of Anne Arundel County, Maryland; and

WHEREAS, the Declarant has retained, in Paragraph Eighth of the aforesaid Declaration, the absolute right to be exercised prior to the 29th day of November, 1991, to annex to the land and improvements described on Exhibit A attached to the Declaration, and thereby to submit to each and every of the provisions of the Declaration, the land described on Exhibit A-2 attached hereto and incorporated herein by this reference, together with the improvements theretofore or thereafter constructed upon such land; and

WHEREAS, the Declarant intends by the execution and recordation of these presents, together with the execution and recordation of the supplements to the Condominium Plat identified above, to exercise that right, as to the land and premises described on said Exhibit A-2;

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E. AUDREY COLLISON
CLERK

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NOW, THEREFORE, the Declarant hereby declares that all the land and premises described on Exhibit A-2 attached hereto, together with all of the improvements heretofore or hereafter constructed thereon, and all of the appurtenances thereto, shall be held, conveyed, divided or subdivided, leased, rented and occupied, improved, hypothecated and encumbered subject to the covenants, restrictions, uses, limitations, obligations, easements, equitable servitudes, charges and liens (hereinafter sometimes referred to as the "covenants and restrictions") set forth in the aforesaid Declaration including, without limiting the generality of the foregoing, the provisions of the By-Laws of the Council of Unit Owners attached to said Declaration as Exhibit B, and the provisions of each and every of the several Exhibits to the aforesaid Declaration, each and all of which are hereby declared and agreed to be in aid of a plan for the improvement of said land and premises and the division thereof into condominium units and common elements, and shall be deemed to run with and bind the land, shall inure to the benefit of and be enforceable by the Declarant, its successors and assigns, and by any person acquiring or owning an interest in said land and improvements including, again without limiting the generality of the foregoing, any person, group of persons, corporation, partnership, trust or other legal entity, or any combination thereof, who holds such interest solely as security for the performance of an obligation.

The Declarant hereby submits the land and premises described on Exhibit A-2, to each and every of the provisions of the Declaration and to the provisions of Title 11, Real Property Article, Annotated Code of Maryland (1981 Repl. Vol.).

Upon recordation of this Supplementary Declaration, each unit owner in the condominium described in the aforesaid Declaration and identified on the aforesaid Condominium Plat, by operation of law and the provisions of Paragraph Eighth of the Declaration, shall have the percentage interest in the common elements, common expenses, and common profits of the condominium, and shall have the number of votes in the Council of Unit Owners provided for in Exhibit C-2 attached hereto and incorporated herein by this reference; and upon the recordation of this Supplementary Declaration, the percentage interests and voting rights heretofore established and provided for in the aforesaid Declaration shall be reallocated, automatically and pro tanto, as set forth on Exhibit C-2 attached hereto.

IN WITNESS WHEREOF, the said Ryan Homes, Inc., a corporation organized and existing under the laws of the State of Pennsylvania, has caused these presents to be executed in its corporate name by Ronald M. Airey, its Vice-President, and its corporate seal to be hereunto affixed; and does hereby appoint the officer first above named as its true and lawful attorney-in-fact to acknowledge and deliver these presents in its name and on its behalf, all as of the year and day first above written.

ATTEST:

RYAN HOMES, INC.

Patricia A. Schum

By: *Ronald M. Airey*
Ronald M. Airey, Vice-President

STATE OF MARYLAND)

) ss:

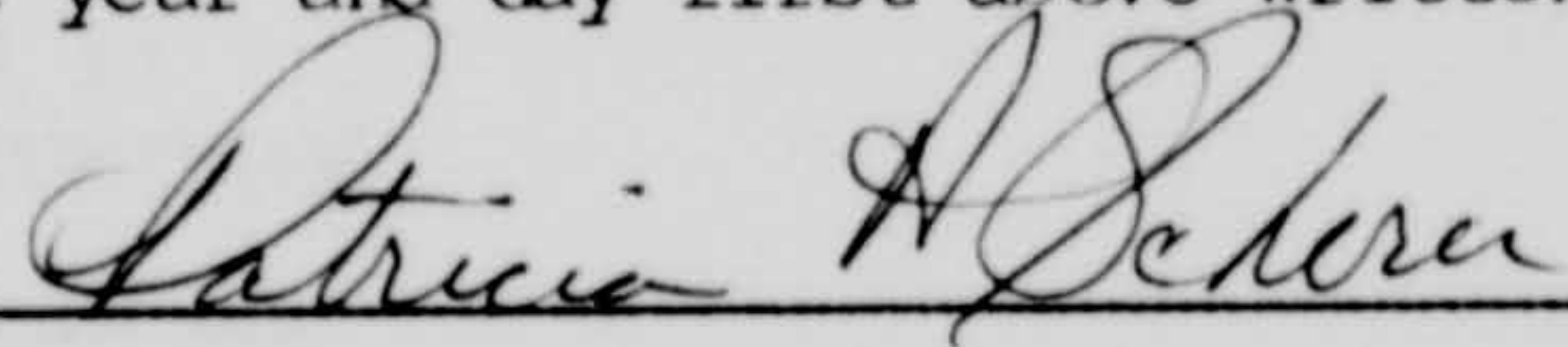
COUNTY OF ANNE ARUNDEL)

I HEREBY CERTIFY that on this 15th day of August, 1985, before me, the subscriber, a Notary Public in and for the jurisdiction aforesaid, personally appeared in said jurisdiction Ronald M. Airey, personally well known to me (or satisfactorily proven) to be the person named as attorney-in-fact in the foregoing instrument, and by virtue of the authority vested in him by said instrument, and otherwise having the

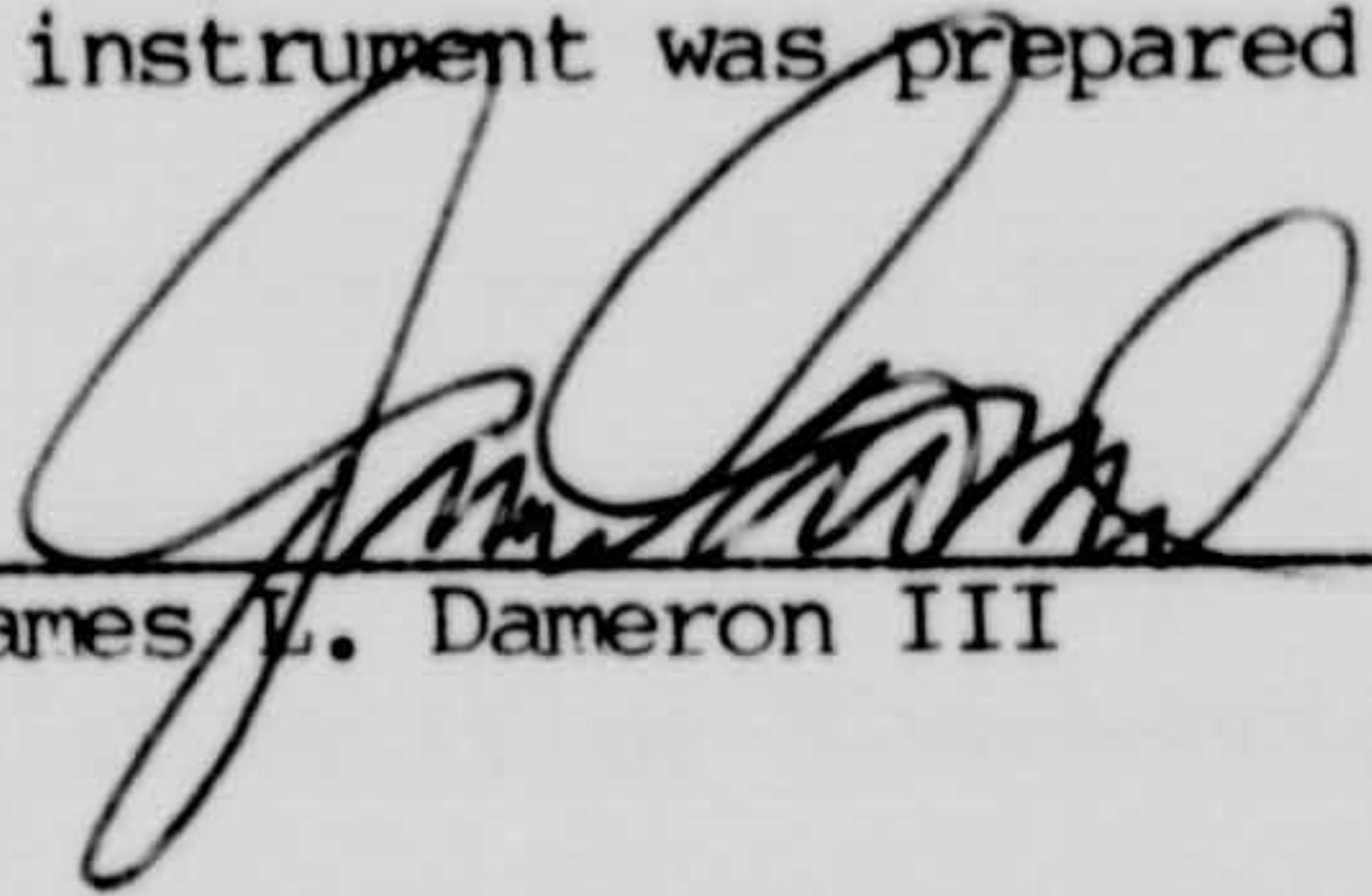
authority so to do, acknowledged the foregoing instrument to be the act and deed of Ryan Homes, Inc., and further acknowledged that the same was executed and delivered for the purposes therein contained.

WITNESS my hand and Notarial Seal the year and day first above written.

My Commission Expires: 7-1-86



The undersigned, a member in good standing of the Bar of the Court of Appeals of Maryland, hereby certifies that the within instrument was prepared by him or under his supervision.



James L. Dameron III

8/5/85
RK/ssDESCRIPTION OF PHASE II
CHESTERFIELD GARDEN CONDOMINIUM
THIRD DISTRICT
ANNE ARUNDEL COUNTY, MARYLAND

BEGINNING for the same at a point located on the North side of Leeds Drive, 60 feet wide, said point is located along the arc of a curve to the right having a radius of 445.00 feet, an arc length of 79.79 feet from point number 3157 as shown on a subdivision plat entitled "Chesterfield" a condominium, Plat Two - Section 2-D recorded among the Plat Records of Anne Arundel County, Maryland in Plat Book E 22, Page 15, thence binding on the East outline of Condominium No. 2 and referring the courses of this description to the Maryland State Grid Meridian,

(1) North 14 degrees 22 minutes 05 seconds West 280.63 feet, thence binding on the South side of a Home Owner's Recreational Area, the following two (2) courses,

(2) North 65 degrees 21 minutes 31 seconds East 130.00 feet, thence

(3) South 87 degrees 59 minutes 43 seconds East 41.35 feet thence binding on the East boundary line of an open space area,

(4) South 02 degrees 00 minutes 17 seconds West 40.00 feet, thence binding on the North and West outlines of Phase 10, the two (2) following courses,

(5) North 87 degrees 59 minutes 43 seconds West 71.00 feet, thence

(6) South 02 degrees 00 minutes 17 seconds West 121.00 feet, thence binding on the South outline of said phase 10 and an Easterly extension thereof,

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EXHIBIT A-2

Page two

(7) South 87 degrees 59 minutes 43 seconds East 129.91 feet thence running through Davenport Court,

(8) South 02 degrees 00 minutes 17 seconds West 148.66 feet to the North side of Leeds Drive, thence

(9) With the arc of a curve to the left having a radius of 445.00 feet, an arc length of 139.07 feet and being subtended by a chord South 84 degrees 35 minutes 03 seconds West 138.50 feet to the point of beginning,

CONTAINING 0.851 acres of land, more or less,

BEING part of that parcel of land which by deed dated March 20, 1978, and recorded among the Land Records of Anne Arundel County, Maryland in Liber W.G.L. 3062, Folio 888, was granted and conveyed by Oriole Homes Corp. to the Chatterleigh Limited Partnership.

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EXHIBIT "C-2"

CHESTERFIELD GARDEN CONDOMINIUM

<u>BUILDING</u>	<u>UNIT NUMBER</u>	<u>SQUARE FOOTAGE</u>	<u>% OWNERSHIP</u>
Phase 1B	A	889 sq. ft.	2.8482
	B	889 sq. ft.	2.8482
	C	642 sq. ft.	2.0568
	D	640 sq. ft.	2.0504
3500 Lochearn Court	E	927 sq. ft.	2.9699
	F	927 sq. ft.	2.9699
	G	671 sq. ft.	2.1497
	H	671 sq. ft.	2.1497
	J	927 sq. ft.	2.9699
	K	915 sq. ft.	2.9315
	L	668 sq. ft.	2.1401
	M	671 sq. ft.	2.1497
Phase 1A	A	881 sq. ft.	2.8225
	B	881 sq. ft.	2.8225
	C	881 sq. ft.	2.8225
	D	881 sq. ft.	2.8225
3502 Lochearn Court	E	920 sq. ft.	2.9475
	F	920 sq. ft.	2.9475
	G	920 sq. ft.	2.9475
	H	920 sq. ft.	2.9475
	J	920 sq. ft.	2.9475
	K	920 sq. ft.	2.9475
	L	920 sq. ft.	2.9475
	M	920 sq. ft.	2.9475
Phase 11	A	887 sq. ft.	2.8418
	B	887 sq. ft.	2.8418
	C	883 sq. ft.	2.8289
	D	881 sq. ft.	2.8225
1100 Davenport Court	E	920 sq. ft.	2.9475
	F	920 sq. ft.	2.9475
	G	918 sq. ft.	2.9411
	H	920 sq. ft.	2.9475
	J	920 sq. ft.	2.9475
	K	920 sq. ft.	2.9475
	L	918 sq. ft.	2.9411
	M	918 sq. ft.	2.9411
		<u>31,213 sq. ft.</u>	<u>99.9998%</u>

Mailed to: Dameron & Clarke.