

~~SIXTH~~ **4091 PAGE 133**
SIXTH SUPPLEMENTARY DECLARATION

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(for Purposes of Adding Phase 12 to Chesterfield Garden Condominium)

THIS SUPPLEMENTARY DECLARATION, made and entered into this 30th day of May, 1986, 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-6 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, prior to the recordation hereof, on the 18th day of September, 1985, the Declarant filed for record in the Land Records of Anne Arundel County, Maryland, a certain Second Supplementary Declaration, with Exhibits, which Declaration is recorded in Liber 3948 at folio 752 among the aforesaid Land Records; and

WHEREAS, prior to the recordation hereof, on the 29th day of November, 1985, the Declarant filed for record in the Land Records of Anne Arundel County, Maryland, a certain Third Supplementary Declaration, with Exhibits, which Declaration is recorded in Liber 3985 at folio 833 among the aforesaid Land Records; and

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WHEREAS, prior to the recordation hereof, on the 20th day of December, 1985, the Declarant filed for record in the Land Records of Anne Arundel County, Maryland, a certain Fourth Supplementary Declaration, with Exhibits, which Declaration is recorded in Liber 3997 at folio 440 among the aforesaid Land Records; and

WHEREAS, prior to the recordation hereof, on the 14th day of April, 1986, the Declarant filed for record in the Land Records of Anne Arundel County, Maryland, a certain Fifth Supplementary Declaration, with Exhibits, which Declaration is recorded in Liber 4053 at folio 732 among the aforesaid Land Records; and

WHEREAS, the Declaration, First Supplementary Declaration, Second Supplementary Declaration, Third Supplementary Declaration, Fourth Supplementary Declaration and Fifth 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":

- (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

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- (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-132B 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, Pages 20 and 21, beginning at Plat 1420 among the Land Records of Anne Arundel County, Maryland; and
- (d) a certain Condominium Plat, consisting of two (2) sheets showing Phase 10 of "Chesterfield Garden Condominium", which Condominium Plat is recorded in Condominium Plat Book 30, Pages 17 and 18, beginning at Plat E-1467 among the Land Records of Anne Arundel County, Maryland; and
- (e) a certain Condominium Plat, consisting of two (2) sheets showing Phase 8 of "Chesterfield Garden Condominium", which Condominium Plat is recorded in Condominium Plat Book 30, Pages 19 and 20, beginning at Plat E-1469 among the Land Records of Anne Arundel County, Maryland; and
- (f) a certain Condominium Plat, consisting of two (2) sheets showing Phase 9 of "Chesterfield Garden Condominium", which Condominium Plat is recorded in Condominium Plat Book 31, Pages 33 and 34, beginning at Plat E-1533 among the Land Records of Anne Arundel County, Maryland; and
- (f) a certain Condominium Plat, consisting of two (2) sheets showing Phase 12 of "Chesterfield Garden Condominium", which Condominium Plat is recorded in Condominium Plat Book 31, Pages 48 and 49, beginning at Plat E-1548 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-6 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-6;

NOW, THEREFORE, the Declarant hereby declares that all the land and premises described on Exhibit A-6 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, it 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-6, 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-6 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-6 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.

Mary Negert

By:

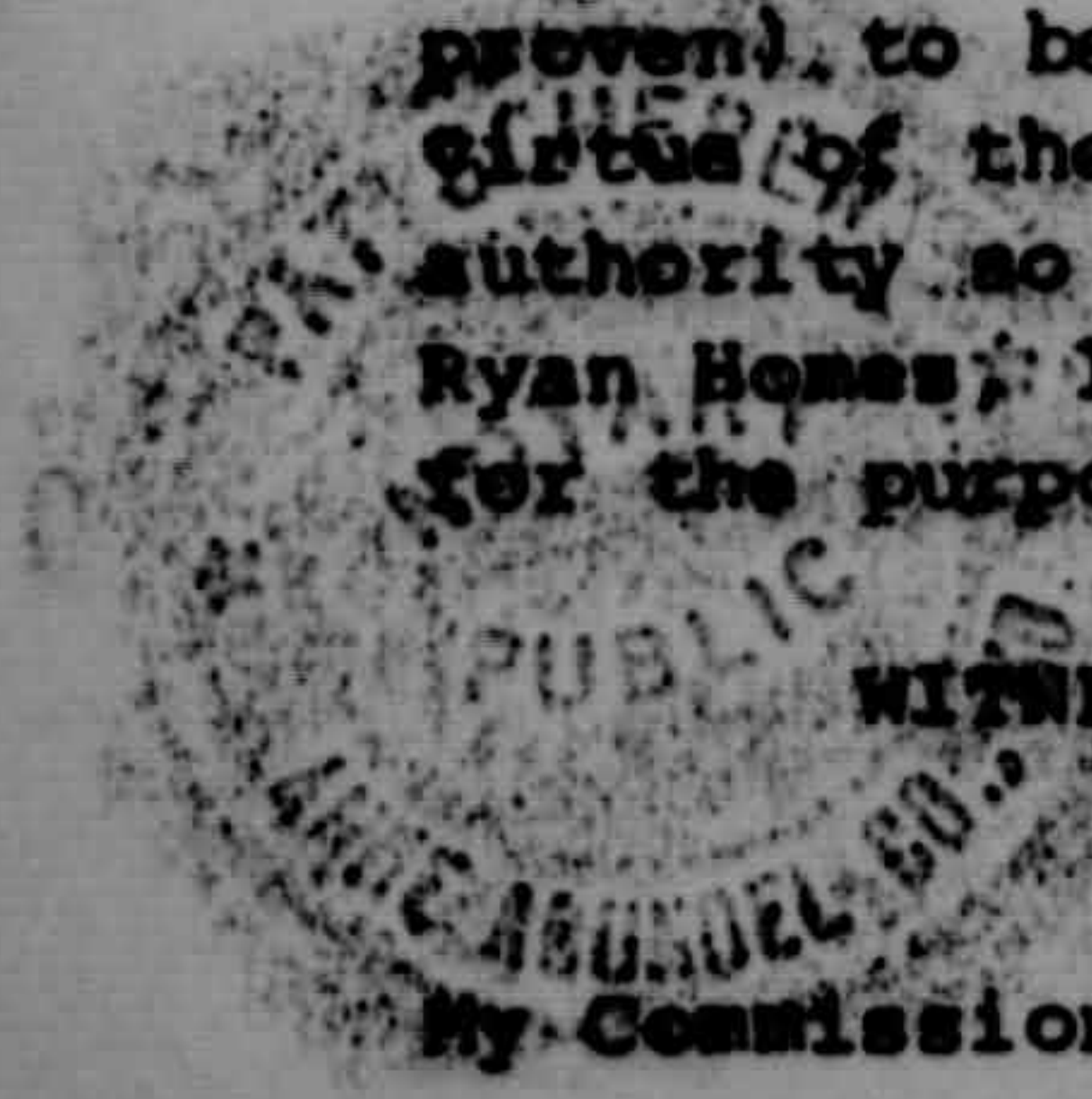
Ronald M. Airey
Ronald M. Airey, Vice-President

STATE OF MARYLAND)

) ss:

COUNTY OF ANNE ARUNDEL)

I HEREBY CERTIFY that on this 30th day of May, 1986, 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~~ ^{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

Patricia A. Schure

4/15/86
JB/ssDESCRIPTION OF PHASE 12
CHESTERFIELD GARDEN CONDOMINIUM
THIRD DISTRICT
ANNE ARUNDEL COUNTY, MARYLAND

BEGINNING for the same at point no. 3157 on the Northernmost right-of-way line of Leeds Drive (60 feet wide right-of-way) as shown on a plat entitled a Condominium, (Phases 6-15), Plat Two, Section 2-D Revised, "Chesterfield", recorded among the Plat Records of Anne Arundel County, Maryland in Plat Book 26, Page 30, Plat No. E-1290, running thence with and binding on the aforementioned right-of-way line of Leeds Drive, and referring the courses of the description contained herein to the Maryland State Grid Meridian,

(1) South 65 degrees 21 minutes 31 seconds West 101.50 feet, thence leaving said right-of-way line and running with and binding on the division line between future Phase 15 and the Phase now being described,

(2) North 24 degrees 38 minutes 29 seconds West 130.00 feet, thence leaving said division line and running with and binding on the division line between Future Phase 13 and the Phase now being described,

(3) North 65 degrees 21 minutes 31 seconds East 172.00 feet,

(4) North 24 degrees 38 minutes 29 seconds West 121.00 feet,

(5) South 65 degrees 21 minutes 31 seconds West 71.00 feet, and

(6) North 24 degrees 38 minutes 29 seconds West 18.00 feet to the division line between the phase now being described and a 1.704 acre \pm recreation area as shown on the aforementioned plat, thence running with and binding on said division line,

(7) North 65 degrees 21 minutes 31 seconds East 129.91 feet, thence

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leaving said recreation area and running with and binding on the division line between the Phase now being described and existing Phase 11, recorded among the aforesaid Plat Records in Plat Book 29, Page 20, Plat No. E-1420,

(9) South 14 degrees 22 minutes 05 seconds East 280.63 feet to the aforementioned right-of-way line of Leeds Drive, thence running with and binding on said right-of-way line,

(9) 79.79 feet along the arc of a curve to the left, having a radius of 445.00 feet, and being subtended by a chord of South 70 degrees 29 minutes 20 seconds West 79.68 feet to the point of beginning,

CONTAINING 0.760 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 at Folio 888, was granted and conveyed by Oriole Homes Corp. to the Chatterleigh Limited Partnership.

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CHESTERFIELD GARDEN CONDOMINIUM

<u>BUILDING</u>	<u>UNIT NUMBER</u>	<u>SQUARE FOOTAGE</u>	<u>% OWNERSHIP</u>
Phase 1B	A	889 sq. ft.	1.1877
	B	889 sq. ft.	1.1877
	C	642 sq. ft.	.8577
	D	640 sq. ft.	.8550
3500 Lochearn Court	E	927 sq. ft.	1.2385
	F	927 sq. ft.	1.2385
	G	671 sq. ft.	.8965
	H	671 sq. ft.	.8965
Phase 1A	J	927 sq. ft.	1.2385
	K	915 sq. ft.	1.2225
	L	668 sq. ft.	.8925
	M	671 sq. ft.	.8965
	A	881 sq. ft.	1.1770
Phase 1A	B	881 sq. ft.	1.1770
	C	881 sq. ft.	1.1770
	D	881 sq. ft.	1.1770
	3502 Lochearn Court	E	920 sq. ft.
F		920 sq. ft.	1.2291
G		920 sq. ft.	1.2291
H		920 sq. ft.	1.2291
Phase 1	J	920 sq. ft.	1.2291
	K	920 sq. ft.	1.2291
	L	920 sq. ft.	1.2291
	M	920 sq. ft.	1.2291
	Phase 11	A	887 sq. ft.
B		887 sq. ft.	1.1850
C		883 sq. ft.	1.1797
D		881 sq. ft.	1.1770
3500 Davenport Court	E	920 sq. ft.	1.2291
	F	920 sq. ft.	1.2291
	G	918 sq. ft.	1.2265
	H	920 sq. ft.	1.2291
Phase 1	J	920 sq. ft.	1.2291
	K	920 sq. ft.	1.2291
	L	918 sq. ft.	1.2265
	M	918 sq. ft.	1.2265

<u>BUILDING</u>	<u>UNIT NUMBER</u>	<u>SQUARE FOOTAGE</u>	<u>% OWNERSHIP</u>
Phase 10	A	887 sq. ft.	1.1850
	B	883 sq. ft.	1.1797
	C	885 sq. ft.	1.1824
	D	885 sq. ft.	1.1824
3502 Davenport Court	E	920 sq. ft.	1.2291
	F	920 sq. ft.	1.2291
	G	920 sq. ft.	1.2291
	H	920 sq. ft.	1.2291
	J	920 sq. ft.	1.2291
	K	920 sq. ft.	1.2291
	L	920 sq. ft.	1.2291
	M	920 sq. ft.	1.2291
Phase 8	A	887 sq. ft.	1.1850
	B	887 sq. ft.	1.1850
	C	885 sq. ft.	1.1824
	D	887 sq. ft.	1.1850
3501 Davenport Court	E	922 sq. ft.	1.2318
	F	927 sq. ft.	1.2385
	G	922 sq. ft.	1.2318
	H	922 sq. ft.	1.2318
	J	922 sq. ft.	1.2318
	K	922 sq. ft.	1.2318
	L	922 sq. ft.	1.2318
	M	922 sq. ft.	1.2318
Phase 9	A	883 sq. ft.	1.1797
	B	885 sq. ft.	1.1824
	C	883 sq. ft.	1.1797
	D	887 sq. ft.	1.1850
3503 Davenport Court	E	922 sq. ft.	1.2318
	F	920 sq. ft.	1.2291
	G	922 sq. ft.	1.2318
	H	923 sq. ft.	1.2331
	J	922 sq. ft.	1.2318
	K	922 sq. ft.	1.2318
	L	922 sq. ft.	1.2318
	M	919 sq. ft.	1.2278

<u>BUILDING</u>	<u>UNIT NUMBER</u>	<u>SQUARE FOOTAGE</u>	<u>% OWNERSHIP</u>
Phase 12	A	885 sq. ft.	1.1824
	B	885 sq. ft.	1.1824
	C	885 sq. ft.	1.1824
	D	885 sq. ft.	1.1824
3501 Wedgewood Court	E	920 sq. ft.	1.2291
	F	920 sq. ft.	1.2291
	G	920 sq. ft.	1.2291
	H	920 sq. ft.	1.2291
	J	920 sq. ft.	1.2291
	K	920 sq. ft.	1.2291
	L	920 sq. ft.	1.2291
	M	920 sq. ft.	1.2291
		<u>74,850 sq. ft.</u>	<u>99.9996%</u>

Mail to James Emerson