

**FIRST AMENDMENT TO UNILATERAL DECLARATION OF COVENANTS, EASEMENTS, CONDITIONS AND RESTRICTIONS**

This First Amendment to Unilateral Declaration of Covenants, Easements, Conditions and Restrictions (the "First Amendment") is made and executed this <sup>th</sup> 4 day of November, A.D., 2013 by Pocono Manor Investors, LP, having a mailing address of P.O. Box 38, Pocono Manor, PA 18349 (hereinafter referred to as "Declarant").

**WITNESSETH THAT:**

WHEREAS, Declarant executed and caused to be recorded the Unilateral Declaration of Covenants, Easements, Conditions and Restrictions dated September 20, 2013 (the "Declaration") in the Office of the Recorder of Deeds in and for Monroe County, Pennsylvania on September 24, 2013 at Instrument Number 201326467; and

WHEREAS, the Declaration was executed and recorded pursuant to the terms and conditions of a Development Agreement, dated September 20, 2013 (the "Development Agreement") by and between the Declarant and the Township of Tobyhanna, Monroe County (the "Township"); and

WHEREAS, a Memorandum of the Development Agreement has also been recorded in the Office of the Recorder of Deeds in and for Monroe County, Pennsylvania on October 17, 2013 at Instrument Number 20138857; and

WHEREAS, pursuant to paragraph 42 of the Declaration, Declarant desires to modify the terms of the Declaration to which the Township has given its Consent, attached hereto; and

WHEREAS, the Declarant and the Township also desire to amend the Development Agreement consistent herewith.

NOW THEREFORE, the Declaration is hereby amended to add the following paragraph:

“44. A such time as the owner or developer of Lot 3A executes and delivers a land development agreement with the Township and posts financial security for the improvements required thereby, satisfactory to the Township, this Declaration shall not apply to Lot 3A.”

The Declarant by execution hereof and the Township by execution of the Consent attached hereto hereby agree that the Declaration is hereby amended to be consistent herewith.

All other terms and conditions of the Declaration shall remain in full force and effect and unchanged hereby.

IN WITNESS WHEREOF, Declarant intending to be legally bound hereby, has caused this First Amendment to be executed by its duly appointed managing partner of Pocono Manor Investors, LP, the day and year first above written:

Declarant:  
Pocono Manor Investors, LP

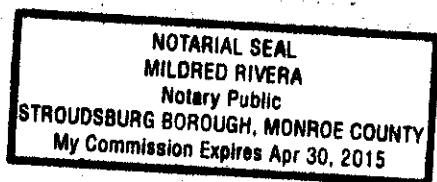
By:   
James M. Cahill, PLS, PP, Managing Partner

**ACKNOWLEDGMENT**

COMMONWEALTH OF PENNSYLVANIA :  
: SS:  
COUNTY OF MONROE :

On this 15<sup>th</sup> day of November, 2013, before me a notary public, the undersigned officer, personally appeared **James M. Cahill**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged himself to be the Managing Partner of Pocono Manor Investors, LP, a Pennsylvania limited partnership, and as such, being authorized to do so, executed the foregoing instrument for the purpose therein contained by signing the name of the corporation by himself as Managing Partner.

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



  
Notary Public

**CONSENT TO FIRST AMENDMENT TO DECLARATION BY  
TOBYHANNA TOWNSHIP**

Tobyhanna Township, pursuant to Paragraph 42 of the Declaration, by execution hereof and intending to be legally bound hereby, consents to the provisions of the First Amendment to Declaration.

In Witness Whereof, Heidi Pickard, on behalf of Tobyhanna Township has caused this Consent to the First Amendment to Declaration to be executed this 4<sup>th</sup> day of November, 2013.

WITNESS:

TOBYHANNA TOWNSHIP

[Signature]

By: Heidi Pickard

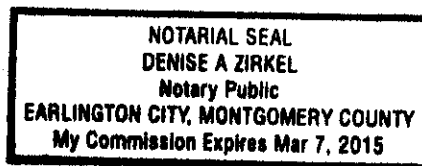
**ACKNOWLEDGMENT**

COMMONWEALTH OF PENNSYLVANIA :  
: SS:  
COUNTY OF Monroe :

On this, the 4<sup>th</sup> day of November, 2013, before me a notary public, the undersigned officer, personally appeared Heidi Pickard, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged himself/herself to be the Vice Chairperson of Tobyhanna Township, a Board of Supervisors, and as such, being authorized to do so, executed the foregoing instrument for the purpose therein contained by signing the name of the corporation by himself as

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

[Signature]  
Notary Public





COUNTY OF MONROE

RECORDER OF DEEDS  
7th & MONROE STREETS  
STROUDSBURG, PA 18360  
Area Code (570) 517-3969

Helen Diecidue - Recorder

Instrument Number - 201331782

Recorded On 11/19/2013 At 3:35:02 PM

\* Instrument Type - AMENDMENT

Invoice Number - 652440

\* Grantor - POCONO MANOR INVESTORS LP

\* Grantee - TOBYHANNA TOWNSHIP

User - EFS

\* Customer - MATERGIA & DUNN

\* FEES

STATE WRIT TAX	\$0.50
RECORDING FEES	\$13.00
COUNTY ARCHIVES FEE	\$2.00
ROD ARCHIVES FEE	\$3.00
TAX CODE CERTIFICATION	\$20.00
FEES	
TOTAL PAID	\$38.50

Book - 2430 Starting Page - 5774

\* Total Pages - 4

RETURN DOCUMENT TO:  
MATERGIA & DUNN

MC GIS Registry UPI Certification  
On November 19, 2013 By BY

TAX ID #

19/2/1/1

12/13/1/1

Total Tax IDs: 2



I Herby CERTIFY that this document is recorded in the  
Recorder's Office of Monroe County, Pennsylvania

*Helen Diecidue*

THIS IS A CERTIFICATION PAGE

**Do Not Detach**

THIS PAGE IS NOW THE LAST PAGE  
OF THIS LEGAL DOCUMENT

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

043E98



Book: 2430 Page: 5777

RECORDERS OFFICE  
MONROE COUNTY, PA

INVOICE # 652440  
0401-RECEIPT EFS

-- CHARGES --

#001 AMENDMENT \$38.50

Instrument Number - 201331782  
Recorded on - Nov 19, 2013 3:35:02 PM  
Book/Page: REC/2430/5774  
Municipality - TOBYHANNA TOWNSHIP  
Grantor - POCONO MANOR INVESTORS LP  
Grantee - TOBYHANNA TOWNSHIP

Fee Detail:

COUNTY RECORDING FEE	\$13.00
TAX CODE CERTIFICATION FEE	\$20.00
STATE WRIT FEE	\$0.50
ARCHIVES FEE-COUNTY	\$2.00
ARCHIVES FEE-RECORDER	\$3.00

Comment - FIRST AMENDMENT

TOTAL CHARGES \$38.50

-- PAYMENTS --

CHECK: 8437 \$38.50

TOTAL PAYMENTS \$38.50

AMOUNT DUE	\$38.50
PAYMENT ON INVOICE	(\$38.50)
BALANCE DUE	\$0.00

Receipt By: WALK-IN  
Customer ID: MA  
MATERGIA & DUNN

THANK YOU  
HELEN DIECIDUE  
REGISTER & RECORDER  
COUNTY # 45  
11/19/2013 3:35:02 PM