

**SECOND AMENDMENT TO DECLARATION OF
OAKLEAF VILLAS GARDEN CONDOMINIUM**

THIS SECOND AMENDMENT made and entered into this 27th day of January, 1991, by BURWOOD ROAD ASSOCIATES LIMITED PARTNERSHIP, a Maryland limited partnership, hereinafter referred to as "Declarant".

WHEREAS, prior to the recordation hereof, namely, on the 13th day of September, 1990, the Declarant filed for record in the Office of the Clerk of the Circuit Court for Anne Arundel County, Maryland, a certain Declaration of Oakleaf Villas Garden Condominium, with Exhibits, which Declaration and Exhibits are recorded among the Land Records of Anne Arundel County in Liber 5168, Folio 711, et. seq.; and a First Amendment To Declaration dated September 12, 1990, and recorded among the Land Records of Anne Arundel County on September 19, 1990, in Liber 5173, Folio 425; and are hereinafter referred to collectively as "Declaration"; and

WHEREAS, prior to the recordation hereof, Declarant has filed for record in the Office of the Clerk of the Circuit Court for Anne Arundel County, Maryland, the following, hereinafter referred to as the "Condominium Plat":

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(a) A certain Condominium Plat (Section I, Phase 1, Building No. 2 at 202 Juneberry Way), entitled "Phase Plat" and "Oakleaf Villas Garden Condominium, Section I, Phase 1, Building No. 2 at 202 Juneberry Way", consisting of 4 sheets which Condominium Plat is recorded in Condominium Plat Book E-48 at Pages 14 through 17 (Plat Nos. 2564, 2565, 2566 and 2567), among the aforesaid Plat Records.

(b) A First Amendment To Condominium Plat (Section I, Phase 2, Building No. 3 at 200 Juneberry Way), entitled "First Amendment to Oakleaf Villas Garden Condominium, Section I, Phase 2, Building No. 3 at 200 Juneberry Way", consisting of three sheets which Condominium Plat is recorded in Condominium Plat Book E-48 at Pages 18, 19 and 20 (Plat Nos. 2568, 2569 and 2570), among the aforesaid Plat Records.

WHEREAS, immediately prior to the recording hereto or simultaneously with the

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recording herewith, Declarant has filed or intends to file for record in the Office of the Clerk of the Circuit Court for Anne Arundel County, Maryland, the following, hereinafter referred to as the "Second Amendment to Condominium Plat":

A certain Second Amendment to the Condominium Plat entitled "Second Amendment to Oakleaf Villas Garden Condominium, Section I, Phase 3, Building No. 1 at 204 Juneberry Way", consisting of 3 sheets, which Second Amendment to Condominium Plat is recorded in Condominium Plat Book E-51, at pages 22-24, among the aforesaid Plat Records.

The Declarant retained in the aforesaid Declaration the absolute right, to be exercised prior to seven (7) years after the date of the Declaration, to annex to the land and improvements described on Exhibit "A" attached to said Declaration, and thereby to submit to each and every of the provisions of the Declaration and of the Condominium Act the land generally described on the Condominium Plat, together with the improvements theretofore and thereafter constructed on any of such land, and the Declarant intends by the execution and recordation hereof, together with the execution and recordation of the Second Amendment to the Condominium Plat aforementioned, to exercise that right in part.

NOW, THEREFORE, Declarant hereby declares that all of the property described on Exhibit "A" attached to this Second Amendment, together with all of the improvements heretofore or hereafter constructed thereon, and all 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 referred to as "Covenants and Restrictions") set forth in the aforesaid Declaration, including (without limitation) the provisions of the By-Laws of the Council of Unit Owners of the Condominium, attached to said Declaration as Exhibit "B", and by this reference incorporated herein, all of which are

declared and agreed to be in aid of a plan for the improvement of said property, and the division thereof into condominium units and common elements, and shall be deemed to run with and bind the land, and shall inure to the benefit of and be enforceable by the Declarant, its successors and assigns, and any person acquiring or owning an interest in said property and improvements, including, without limitation, any person, group of persons, corporation, partnership, trust or other legal entity, or any combination thereof, who hold such interest solely as security for the performance of an obligation.

ARTICLE I

Section 1. Incorporation by reference of Declaration. Declarant hereby submits the real property described on Exhibit "A" attached to this Amendment, to each and every of the provisions of the Declaration made by the Declarant on the 27th day of August, 1990, as the same was recorded on the 13th day of September, 1990, in Liber 5168, Folio 711, et. seq., among the Land Records of Anne Arundel County, Maryland, and to the provisions of the Condominium Act. In accordance with the provisions of said Declaration and of the Condominium Act, the real property described on Exhibit "A" attached to this Amendment, is hereby merged with the real property described on Exhibit "A" of said Declaration; and the real property described on Exhibit "A" of said First Amendment To Declaration, by operation of law.

Section 2. Reallocation of percentage interests and votes. Upon the recordation of this Amendment to the Declaration, each Owner of a Condominium Unit in the Condominium, by operation of law, shall have the undivided percentage interest in the common elements, common expenses and common profits of the Condominium, and shall have the number of votes set forth on Exhibit "C" attached to the aforesaid Declaration and incorporated therein and hereby by this and other references, and upon the recordation of

this Amendment, the percentage interest and voting rights heretofore established as provided for in the Declaration shall be reallocated automatically and pro tanto as set forth in said Exhibit "C".

IN WITNESS WHEREOF, the said Burwood Road Associates Limited Partnership, a Limited Partnership, organized and existing under the laws of the State of Maryland, has caused these presents to be executed in its name by John W. Steffey, Sr., Chairman of the Board and President of White Acre, Inc., General Partner, who has caused this writing to be executed and delivered in its name and on its behalf on the day and year first above written.

Attest:

[Handwritten signature]

BURWOOD ROAD ASSOCIATES
LIMITED PARTNERSHIP

By: _____ (SEAL)

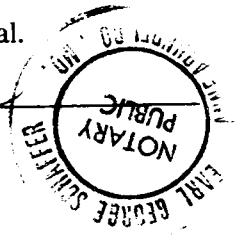
John W. Steffey, Sr.
Chairman of the Board and President
of White Acre, Inc.
General Partner

STATE OF MARYLAND, ANNE ARUNDEL COUNTY, to wit:

I HEREBY CERTIFY that on this 25th day of January, 1991, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared John W. Steffey, Sr., Chairman of the Board and President of White Acre, Inc., General Partner of Burwood Road Associates Limited Partnership, a Maryland Limited Partnership, and that he, as such Chairman of the Board and President being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing in my presence, the name of the Limited Partnership by himself as Chairman of the Board and President of the General Partner.

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

[Handwritten signature]
NOTARY PUBLIC



My Commission Expires: Sept 1, 1994
Return to:
Earl G. Schaffer, Esquire
4 Evergreen Road, Severna Park, Maryland 21146
r:6848302.amd (1/25/91)

PAUL K. MILLER & ASSOCIATES
1509 RITCHIE HIGHWAY, SUITE D
ARNOLD, MARYLAND 21012
(301)757-9202

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PAUL K. MILLER, P.L.S.

LAND SURVEYING
LAND PLANNING

Nov. 30, 1990

EXHIBIT A
SECOND AMENDMENT TO DECLARATION OF
OAKLEAF VILLAS GARDEN CONDOMINIUM
DESCRIPTION
OAKLEAF VILLAS GARDEN CONDOMINIUM
SECTION I, PHASE 3, BUILDING NO. 1, 204 JUNE BERRY WAY
FIFTH DISTRICT
ANNE ARUNDEL COUNTY, MARYLAND

Beginning for the same at Point No. 78 marking the northeast corner of Section 1, as shown on a plat of subdivision entitled "Oakleaf Villas, Garden Condominium - Section 1" as recorded among the Land Records of Anne Arundel County, Maryland in Plat Book 43, Page 6, Plat No. E-2106, running thence with a part of the westerly outline of Burwood Gardens as shown on a plat of subdivision entitled "Burwood Gardens" as recorded among said Land Records in Plat Book 41, Page 6, Plat No. 2231

1. South 05°22'59" East, 52.26 feet to a point, thence crossing said Section 1 of Oakleaf Villas the following six (6) courses
2. South 85°34'17" West, 94.00 feet to a point, thence
3. South 04°25'43" East, 45.00 feet to a point, thence
4. South 85°34'17" West, 99.43 feet to a point, thence
5. South 13°39'37" West, 16.00 feet to a point of curvature, thence
6. 58.94 feet along the arc of a curve deflecting to the left, having a radius of 103.00 feet and a chord bearing and distance of South 87°16'01" West, 58.14 feet to a point of tangency, and thence
7. South 70°53'19" West, 27.67 feet to intersect the easterly right of way line of Heritage Hill Drive (60 foot R/W) as shown on said plat of Oakleaf Villas, thence along said line the following two (2) courses
8. 27.79 feet along the arc of a curve deflecting to the left, having a radius of 430.00 feet and a chord bearing and distance of North 22°41'25" West, 27.78 feet to a point of tangency, and thence
9. North 24°32'45" West, 97.31 feet to a point marking the northwesterly corner of said Oakleaf Villas, thence along a part of the southerly outline of Woodcrest Apartments as shown on a plat of subdivision entitled "Woodcrest Apartments" as recorded among said Land Records in Plat Book 33, Page 21, Plat No. 1796
10. North 85°34'17" East, 324.58 feet to the point of beginning, containing 26,897 square feet or 0.61748 acres of land.