

SIXTH AND SEVENTH AMENDMENTS TO DECLARATION OF OAKLEAF VILLAS GARDEN CONDOMINIUM

Y

THESE SIXTH AND SEVENTH AMENDMENTS, made and entered into this 19th day of December, 1995, by BURWOOD ROAD ASSOCIATES LIMITED PARTNERSHIP, a Maryland limited partnership, hereinafter referred to as "Burwood" and the Anne Arundel County Housing Authority, a body corporate and politic, existing under and by virtue of Article 44A of the Annotated Code of Maryland, hereinafter referred to as "Housing Authority"; Burwood and Housing Authority hereinafter referred to collectively as "Declarant."

WHEREAS, prior to the recordation hereof, namely, on the 13th day of September, 1990, Burwood 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.; 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, a Second Amendment to Declaration dated January 25, 1991, and recorded among the Land Records of Anne Arundel County on March 12, 1991, at Liber 5274, Folio 001; a Third Amendment To Declaration dated June 17, 1991, and recorded among the Land Records of Anne Arundel County on June 28, 1991, at Liber 5353, Folio 472; a Fourth Amendment to Declaration dated September 18, 1992, and recorded among the Land Records of Anne Arundel County on September 28, 1992, at Liber 5768, Folio 219; a Fifth Amendment to Declaration dated January 26, 1993, and recorded among the land records of Anne Arundel County in Liber 5923 folio 672; and are hereinafter referred to collectively as "Declaration"; and

20.00-  
20.00  
2.00  
01/28/97  
ROBERT P. BUCKWORTH  
CIRCUIT COURT

WHEREAS, prior to the recordation hereof, Burwood 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":

(a) A certain Condominium Plat (Section I, Phase I, Building No. 2 at 202 Juneberry Way), entitled "Phase Plat" and "Oakleaf Villas Garden Condominium, Section I, Phase I, Building No. 2 at 202 Juneberry Way", consisting of 4 sheets, which Condominium Plat is recorded in Condominium Plat Book 4-48 at Pages 14 through 17, 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 3 sheets, which Condominium Plat is recorded in Condominium Plat Book E-48 at Pages 18 through 20, among the aforesaid Plat Records.

(c) A Second Amendment to Condominium Plat (Section I, Phase 3,

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

(d) A Third Amendment to Condominium Plat (Section I, Phase 5, Building No. 5 at 300 Juneberry Way), entitled "Third Amendment to Oakleaf Villas Garden Condominium, Section I, Phase 5, Building No. 5 at 300 Juneberry Way", consisting of 3 sheets, which Condominium Plat is recorded in Condominium Plat Book E-53 at Pages 27 through 29, among the aforesaid Plat Records.

(e) A Fourth Amendment to Condominium Plat (Section I, Phase 6, Building No. 6 at 302 Juneberry Way, entitled "Fourth Amendment to Oakleaf Villas Garden Condominium, Section 1, Phase 6, Building No. 6 at 302 Juneberry Way", consisting of 3 sheets, which Condominium Plat is recorded in Condominium Plat Book E-51 at Pages 6 through 8, among the aforesaid Plat Records.

(f) A Fifth Amendment to Condominium Plat (Section I, Phase 7, Building No. 7 at 304 Juneberry Way, entitled "Fifth Amendment to Oakleaf Villas Garden Condominium, Section I, Phase 7, Building No. 7 at 304 Juneberry Way", consisting of 3 sheets, which Condominium Plat is recorded in Condominium Plat Book E-63 at Pages 32 through 34, among the aforesaid Plat Records.

WHEREAS, prior to the recording hereto or simultaneously with the 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 "Sixth and Seventh Amendments to Condominium Plat":

A certain Sixth Amendment to the Condominium Plat entitled "Sixth Amendment to Oakleaf Villas Garden Condominium, Section I, phase 8 Building No. 8 at 306 Juneberry Way", consisting of 3 sheets, which Sixth Amendment to Condominium Plat is recorded in Condominium Plat Book E83 at pages 1 through 3 among the aforesaid Plat Records and a certain Seventh Amendment to the Condominium Plat entitled "Seventh Amendment to Oakleaf Villas Garden Condominium, Section I, phase 9 Building No. 9 at 308 Juneberry Way", consisting of 3 sheets, which Seventh Amendment to Condominium Plat is recorded in Condominium Plat Book E83 at pages 4 through 6 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 Fifth 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 Sixth and Seventh Amendment, together with all of the improvements heretofore and 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, for purpose of the Condominium Act and this Amendment, with the real property described on Exhibit "A" of said Declaration; and the real property described on Exhibit "A" of said First Amendment dated September 12, 1990, as the same was recorded on September 19, 1990, in Liber 5173, Folio 425; and the real property described on Exhibit "A" of said Second Amendment to Declaration dated January 25, 1992, as the same was recorded on March 12, 1991, in Liber 5274 in Folio 001; and the real property described in Exhibit "A" of said Third Amendment to Declaration dated June 17, 1992, as the same was recorded on June 28, 1991, in Liber 5274 in Folio 472; and the real property described in Exhibit "A" of said Fourth Amendment to Declaration dated September 18, 1992, in Liber 5768 in Folio 219; and the real property described in Exhibit "A" of said Fifth Amendment to Declaration dated January 26, 1993 as the same was recorded in liber 5923 folio 672 by operation of law.

Section 2. Reallocation of percentage interest and votes.

Upon the recordation of this Amendment to the Declaration, and the recordation of the Amendment to the Condominium Plat, 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 herein and hereby by this and other references and upon the recordation of the 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, and the Anne Arundel County Housing Authority, a body corporate and politic have caused these presents to be executed in their respective names by John W. Steffey, Sr., Chairman of the Board and President of White Acre, Inc. General Partner, and Larry Loyd, Executive Director, respectively, who have caused this writing to be executed and delivered in their respective names and on their respective behalfs on the day and year first written above.

BURWOOD ROAD ASSOCIATES LIMITED PARTNERSHIP

by: \_\_\_\_\_ (SEAL)  
 John W. Steffey, Sr.  
 Chairman of the Board and President of  
 White Acre, Inc., General Partner

ANNE ARUNDEL COUNTY HOUSING AUTHORITY

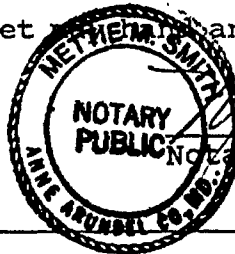
By: \_\_\_\_\_ (seal)  
 Larry Loyd, Executive Director

STATE OF MARYLAND, ANNE ARUNDEL COUNTY, TO WIT:

I HEREBY CERTIFY that on this 12<sup>th</sup> day of September, 1995, before me, the subscriber, a Notary Public of the State of Maryland, 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 Partnership.

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



*Mettlem Smith*  
Notary Public

My Commission Expires 12-1-98

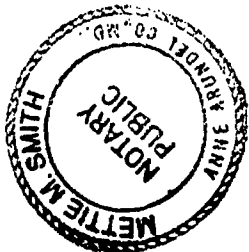
STATE OF MARYLAND, ANNE ARUNDEL COUNTY, TO WIT:

I HEREBY CERTIFY that on this 12<sup>th</sup> day of December, 1998, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared Larry Loyd, Executive Director of Anne Arundel County Housing Authority he, as such Executive Director, being authorized to do so, executed the foregoing instrument for the purposes therein contained, and in my presence signed and sealed the same.

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

*Mettlem Smith*  
Notary Public

My Commission Expires 12-1-98



## EXHIBIT A

To the Sixth and Seventh Amendment to the Declaration

All that lot of ground situate in the Fifth Assessment District of Anne Arundel County, State of Maryland and described as follows:

## SIXTH AMENDMENT

OAKLEAF VILLAS, GARDEN CONDOMINIUM  
SECTION 1, PHASE 8, BUILDING NO. 8, 306 JUNE BERRY WAY  
FIFTH DISTRICT, ANNE ARUNDEL COUNTY, MARYLAND

BEGINNING for the same at a point on the northerly outline of the record plat entitled "Oakleaf Villas Garden Condominium - Section 1" recorded among the Land Records of Anne Arundel County, Maryland in Plat Book E-43 at page 7, said point being located distant south 85 degrees 34 minutes 17 seconds west 420.33 feet from the northeasternmost corner of the above mentioned record plat; thence running along the said northerly outline of the above mentioned record plat south 85 degrees 34 minutes 17 seconds west 14.48 feet to a stone found and south 85 degrees 45 minutes 26 seconds west 107.02 feet to a point, said point being intended to be the future division line between Phase 8 and Phase 9 of "Oakleaf Villas Garden Condominium - Section 1"; thence leaving the said northerly outline of the above mentioned record plat and running along the future division line between Phase 8 and Phase 9 mentioned above, south 04 degrees 25 minutes 43 seconds east 102.35 feet; thence south 85 degrees 34 minutes 17 seconds west 1.21 feet; and south 04 degrees 25 minutes 43 seconds east 83.32 feet to a point on the northerly side of Burwood Road, a variable width Anne Arundel County right-of-way as shown on Anne Arundel County Right-of Way Plat no. 15735; said point also being on the southerly outline of the above mentioned record plat; thence running along the said northerly side of Burwood Road and binding along the said southerly outline of the above mentioned record plat south 81 degrees 35 minutes 10 seconds east 88.08 feet to a point, said point being at the division line between Phase 7, "Oakleaf Villas

Garden Condominium - Section 1", recorded among the plat records of Anne Arundel County, Maryland in Plat book E-63 at page 32; thence leaving the said northerly outline of Burwood Road and also leaving the said southerly outline of the first above mentioned record plat and running along the westernmost outline of the said Phase 7, "Oakleaf Villas Garden Condominium - Section 1", north 04 degrees 25 minutes 43 seconds west 102.90 feet; thence north 85 degrees 34 minutes 17 seconds east 36.84 feet; and north 04 degrees 25 minutes 43 seconds west 102.00 feet to the point of beginning; containing 20,408 square feet, or 0.4685 acre of land, more or less.

BEING part of that parcel of land shown on the record plat entitled, "Oakleaf Villas Garden Condominium - Section 1" recorded among the Land Records of Anne Arundel County, Maryland in Plat Book E-43 at page 7.

ALSO BEING the same property shown and described on a plat entitled "Administrative Phase Plat Oakleaf Villas Garden Condominium Section 1 Phase 8, Building no. 8 at 306 Juneberry Way: which plat is recorded among the plat records of Anne Arundel County, Maryland in plat book 74 folio 27.

#### SEVENTH AMENDMENT

OAKLEAF VILLAS, GARDEN CONDOMINIUM  
SECTION 1, PHASE 9, BUILDING NO. 9, 308 JUNE BERRY WAY  
FIFTH DISTRICT, ANNE ARUNDEL COUNTY, MARYLAND

BEGINNING for the same at a point on the northerly outline of the record plat entitled "Oakleaf Villas Garden Condominium - Section 1", recorded among the land records of Anne Arundel County Maryland in Plat Book E-43 at page 7, said point intended to be at the future division line between Phase 8 and Phase 9 of Oakleaf Villas Garden Condominium - Section 1, said point being located distant south 85 degrees 45 minutes 26 seconds west 107.02 feet from a stone found on the said northerly outline of the above mentioned record plat; thence leaving the point of beginning and running along the said northerly outline of the first above mentioned record plat and continuing along the northernmost outline of the record plat entitled, "Oakleaf Villas Garden Condominium -

Section 1", recorded among the Land Records of Anne Arundel county in plat book 43 at page 8, south 85 degrees 45 minutes 26 seconds west 247.86 feet to a point, said point being the northeasternmost corner of that parcel of land labeled, Recreation Area "A" as shown on the last above mentioned record plat; thence leaving the said northerly outline of the last above mentioned record plat and binding along the easternmost outline of Recreation Area "A" as shown on the last above mentioned record plat and continuing along the outline of the last above mentioned record plat, in all, south 08 degrees 24 minutes 50 seconds west 116.98 feet to a point on the northerly side of Burwood Road, a variable width Anne Arundel County right-of-way; thence running along the said northerly side of Burwood Road south 78 degrees 34 minutes 24 seconds east 190.26 feet to an iron pipe found; thence continuing along the said northerly side of Burwood Road south 81 degrees 35 minutes 10 seconds east 91.92 feet to a point, said point being intended to be the future division line between Phase 8 and Phase 9 of Oakleaf Villas Garden Condominium - Section 1; thence leaving the said northernmost side of Burwood Road and running along the future division line between Phase 8 and Phase 9 of Oakleaf Villas Garden Condominium - Section 1 north 04 degrees 25 minutes 43 seconds west 83.32 feet; thence north 85 degrees 34 minutes 17 seconds east 1.21 feet; and north 04 degrees 25 minutes 43 seconds west 102.35 feet to the point of beginning; containing 39,971 square feet or 0.9176 acres of land, more or less.

BEING part of that parcel of land shown on the record plat entitled, Oakleaf Villas Garden Condominium - Section 1", recorded among the Land Records of Anne Arundel County, Maryland in Plat Book E-43 at page 7; also being part of that parcel of land shown on the record plat entitled, "Oakleaf Villas Garden Condominium - Section 1", recorded among the land records of Anne Arundel County;, Maryland in plat book E-43 at page 8.

ALSO BEING the same property shown and described on a plat entitled "Administrative phase Plat Oakleaf Villas Garden Condominium Section 1 Phase 9, Building no. 9 at 308 Juneberry Way; which plat is recorded or intended to be recorded among the plat records of Anne Arundel County Maryland in liber 74 folio 28.

Phases 8 and 9 being the same property described in a deed



dated March 31, 1995 from Burwood Road Associates Limited Partnership to the Anne Arundel County Housing Authority and recorded among the land records of Anne Arundel County, Maryland in liber 6971 folio 296.