

APR 14 2018

**SECOND AMENDMENT TO DECLARATION OF COVENANTS  
AND RESTRICTIONS FOR THE VILLAS AT THE RETREAT AT THE LINKS  
AT GETTYSBURG, A PLANNED COMMUNITY**

This Second Amendment is made as of this 26 day of March, 2018, by **The Links At Gettysburg Realty Company, L.L.C.**, a Pennsylvania limited liability company (the "**Declarant**"). **The Links At Gettysburg, L.L.C.**, a Pennsylvania limited liability company ("**Links**") joins in this Amendment for the purposes set forth herein.

WITNESSETH:

A. Pursuant to a certain Declaration of Covenants and Restrictions for The Villas At The Retreat At The Links At Gettysburg, A Planned Community, dated April 11, 2011, executed by Declarant and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 5587, Page 315 (the "**Declaration**"), Declarant and Links submitted to the provisions of the Pennsylvania Uniform Planned Community Act, 68 Pa. C.S. § 5101 et seq. (the "**Act**") their respective interests in and to certain real estate described in Exhibit "A" to the Declaration and created a flexible planned community known as "The Villas At The Retreat At The Links At Gettysburg, A Planned Community" (the "**Community**"), initially consisting of fifteen (15) units and later amended to include twenty-seven (27) Units. MT Soy Township

B. Links is the owner in fee simple of the PC Real Estate (as defined in the Declaration) subjected to the Act to create the Community. Declarant is the declarant of the Community and the owner of an equitable interest in the PC Real Estate pursuant to those certain documents described in Exhibit "H" to the Declaration. Links joins herein for the purposes of consenting hereto and agreeing to be bound hereby.

C. Pursuant to Act 37 of 2013 (HB 1122) ("**Act 37**"), the Act was amended, *inter alia*, to extend the time within which a declarant may exercise certain development rights in a planned community, including the following rights: (i) the right to submit any or all of the powers of an association to a Master Association under Section 5222 of the Act, or to cause such association to accept the assignment or delegation of any such powers from one or more planned community or condominium associations; (ii) the right to cause a planned community to be merged or consolidated with one or more other planned communities under Section 5223 of the Act; and (iii) the right to create units, limited common elements or both within convertible real estate, or to add additional real estate to, or withdraw withdrawable real estate from, a planned community (collectively, the "**Declarant Options**").



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Instr# 201800003216  
Adams County, PA  
Karen Heflin Register and Recorder

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D. Act 37 affords Declarant the unilateral right to amend the Declaration to conform the maximum time limit for exercising the Declarant Options to the time limit set forth in Sections 5205(13), 5205(14) and 5206(2) of the Act, as amended by Act 37.

E. Declarant now desires to amend the Declaration to conform to the maximum time limit the Declarant may exercise the Declarant Options to the time limit set forth in the Act, as amended by Act 37.

F. Declarant further desires to amend the Declaration to identify High Performance Homes and The Links of Gettysburg Homes LLC as builders within the Community but not exclusive to the Community.

G. All capitalized terms used herein which are not defined herein shall have the meanings specified in the Declaration and the Act.

**NOW, THEREFORE**, pursuant to and in compliance with the Declaration and the Act, as amended by Act 37, Declarant hereby amends the Declaration as follows:

1. The Declaration is hereby amended to provide that Declarant reserves the right to exercise the Declarant Options with respect to the Convertible Real Estate and Withdrawable Real Estate within the Community which shall expire on the later of (i) ten (10) years after the recording of the Declaration; or (ii) in the case of a preliminary plat calling for the installation of improvements in sections, 120 days after municipal approval or denial of each particular section's final plat which was filed prior to the deadline approved or modified by the municipal governing body pursuant to Section 508(4)(v) of the Pennsylvania Municipalities Planning Code, or, in the event of an appeal from the municipal approval or denial of such final plat, 120 days after a final judgment on appeal.
2. The Declaration is hereby amended to identify High Performance Homes and The Links of Gettysburg Homes LLC as builders within the Community but not exclusive to the Community.
3. Except as modified by this Second Amendment, all of the terms and provisions of the Community Documents are hereby expressly ratified and confirmed and shall remain in full force and effect.



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IN WITNESS WHEREOF, the Declarant and Links, intending to be legally bound hereby, have caused this Second Amendment to be executed as of the day and year first above written.

WITNESS:

[Signature]  
\_\_\_\_\_

DECLARANT:  
THE LINKS AT GETTYSBURG REALTY  
COMPANY, LLC, a Pennsylvania limited  
liability company

By: [Signature]  
Name: Richard A. Klein  
Title: Managing Member

WITNESS:

[Signature]  
Name:  
Title:

LINKS:  
THE LINKS AT GETTYSBURG, L.L.C.,  
a Pennsylvania limited liability company

By: [Signature]  
Name: Richard A. Klein  
Title: President



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COMMONWEALTH OF PENNSYLVANIA :  
: SS:  
COUNTY OF DAUPHIN :

On this, the 26<sup>th</sup> day of March, 2018, before me, a Notary Public, the undersigned officer, personally appeared Richard A. Klein, who acknowledged himself to be the Managing Member of THE LINKS AT GETTYSBURG REALTY COMPANY, L.L.C., a Pennsylvania limited liability company, and that he as such Managing Member, being authorized to do so, executed the foregoing instrument for the purposes therein contained as Managing Member of said company.

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

[Signature]  
Notary Public  
(SEAL)

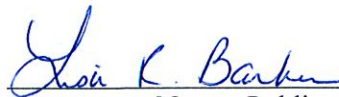
My Commission Expires:

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
Lisa R. Barker, Notary Public  
City of Harrisburg, Dauphin County  
My Commission Expires Nov. 5, 2020

COMMONWEALTH OF PENNSYLVANIA :  
: SS:  
COUNTY OF DAUPHIN :

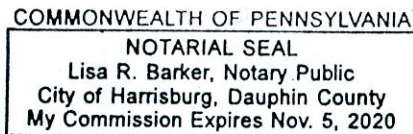
On this, the 26<sup>th</sup> day of March, 2018, before me, a Notary Public, the undersigned officer, personally appeared Richard A. Klein, who acknowledged himself to be the President of THE LINKS AT GETTYSBURG, L.L.C., a Pennsylvania limited liability company, and that he as such President, being authorized to do so, executed the foregoing instrument for the purposes therein contained as President of said company.

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



Notary Public  
(SEAL)

My Commission Expires:



After recording, return to:  
Rhonda M. Weaver, Esq.  
McNees Wallace & Nurick LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166



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