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Karen Heflin
Recorder of Deeds


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Recorded: 03/29/2021 at 10:46:51 AM
Fee Amt: \$33.50 Page 1 of 10
Adams County, PA
Karen Heflin Register and Recorder
BK **6767** PG **793-802**

Prepared by and return to:

Rhonda M. Weaver, Esquire
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108
rmweaver@mcneeslaw.com

NOTE TO RECORDER'S OFFICE:

Pursuant to Section 5219(c) of the Pennsylvania Uniform Planned Community Act, please index this Amendment in the name of "The Villas At The Retreat At The Links At Gettysburg, A Planned Community" in both the Grantor and Grantee indexes.

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

This Amendment is made as of this 29 day of March, 2021, 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.

BACKGROUND:

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 (the "Recorder's Office") in Record Book 5587, Page 315 (the "Original Declaration"), Declarant and Links submitted to the provisions of the Pennsylvania Uniform Planned Community Act, 68 Pa. C.S. § 5101 et seq., as amended (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.

B. The Original Declaration was amended by the following: (i) a First Amendment to Declaration of Covenants and Restrictions dated May 30, 2013 and recorded in the Recorder's Office in Record Book 5836, Page 226, in which amendment Declarant created additional Units, thus increasing the number of Units in the Community to twenty-seven (27); and (ii) a Second Amendment to Declaration of Covenants and Restrictions dated March 26, 2018 and recorded in the Recorder's Office in Record Book 6362, Page 763, in which amendment Declarant exercised its right to extend the time period to exercise certain development rights (defined in Recital C of the said Second Amendment as "Declarant Options") as permitted by the Act of July 2, 2013, P.L. 204, No. 37 ("Act 37") (the Original Declaration, as amended, being the "Declaration").

C. In addition to Act 37, pursuant to the Permit Extension Act, Act 46 of 2010, as amended in 2012, and as later repealed and replaced by the Development Permit Extension Act, 53 P.S. 11703.1, et seq., as amended (the "DPEA"), the time period for a declarant to exercise certain development rights in a planned community created pursuant to the Act, including some of the Declarant Options (such as the right to convert Convertible Real Estate and withdraw Withdrawable Real Estate), was tolled (*i.e.*, paused) from January 1, 2009 through July 1, 2016 (the "Tolling Period"). Thus, because the Tolling Period existed when the Original Declaration was recorded, the time period for Declarant to exercise certain Declarant Options was tolled from the date of recording through July 1, 2016, such that Declarant's ten (10) year time period to exercise certain Declarant Options commenced July 2, 2016 and expires July 2, 2026.

D. Declarant now desires to exercise its rights under the Declaration, as amended by Act 37 and the DPEA (as applicable), to add the Additional Real Estate described in **Exhibit A** attached hereto and incorporated herein, as Convertible Real Estate and Withdrawable Real Estate and to immediately convert such Additional Real Estate into Units,

Limited Common Elements and Common Elements (the "Converted Real Estate"), thereby increasing the total number of Units in the Community from twenty-seven (27) to thirty-eight (38).

E. Links joins in this Amendment as the fee owner of the Converted Real Estate to submit its interest in the Converted Real Estate to the terms of this Amendment.

F. 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 and the Master Declaration for the PGC Master Community, Declarant and Links agree as follows:

1. The foregoing Background recitals are incorporated herein by this reference thereto and made an integral part hereof.

2. Declarant hereby amends the Declaration and otherwise exercises and/or confirms the prior exercise of all of its rights under Act 37 and the DPEA to extend the time periods to exercise the Declarant Options (including, without limitation, those rights set forth in Sections 19.2.1, 19.3.1, 21.1, 22.1 and 23.1 of the Declaration) to the maximum amount of time permitted under Act 37 and the DPEA.

3. The Converted Real Estate, as described on **Exhibit A** hereto, being a portion of the Additional Real Estate described in Exhibit "F" to the Declaration, is hereby added to the Community and converted into the Units, Limited Common Elements and Common Elements, all as designated on the Amended Declaration Plat attached hereto and incorporated herein as **Exhibit B**. Links hereby joins in this Amendment for the purpose of submitting its fee interest in the Converted Real Estate and agreeing to the terms and conditions set forth in this Amendment.

4. Pursuant to Section 5211 of the Act, Declarant hereby assigns an identifying number to each Unit hereby created in the Converted Real Estate and reapportions the Allocated Interests, votes in the Association and Common Expense liabilities as shown on **Exhibit C** attached hereto and made a part hereof.

5. Except as modified by this Amendment, all of the terms and provisions of the Community Documents are hereby expressly ratified and confirmed, shall remain in full force and effect, and shall apply to the Units, Limited Common Elements and Common Elements hereby created.

[Signature page follows]

IN WITNESS WHEREOF, the Declarant has caused this Amendment to be executed as of the day and year first above written.

DECLARANT:

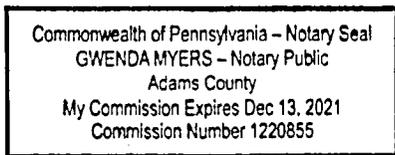
THE LINKS AT GETTYSBURG REALTY COMPANY, L.L.C., a Pennsylvania limited liability company

By: [Signature]
Richard A. Klein, Managing Member

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF ADAMS : SS:

On this, the 29th day of March, 2021, 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

My Commission Expires: 12 13 21

(SEAL)

EXHIBIT A

CONVERTED REAL ESTATE

ALL THAT CERTAIN tract of land situate in Mount Joy Township, Adams County, Pennsylvania, being more particularly bounded and described as "Lot B" on that certain Phase 1 Preliminary/Final Subdivision Plan for The Villas At The Retreat At The Links At Gettysburg, recorded in the Recorder's Office in Plat Book 98, Page 56, which same tract is also more particularly bounded, described and depicted on the Amended Declaration Plat attached hereto as **Exhibit B**.

The said Converted Real Estate includes **Units 29 through 39, inclusive**, together with any Limited Common Elements appurtenant thereto, and Common Elements.

EXHIBIT B

AMENDED DECLARATION PLAT

The Declaration Plat – Phase III of The Villas At The Retreat At The Links At Gettysburg, A Planned Community dated March 22, 2021, prepared by Sharrah Design Group, Inc., consisting of a total of three (3) pages, is being recorded simultaneously herewith in the Recorder's Office, and is hereby incorporated herein by reference and made an integral part hereof.

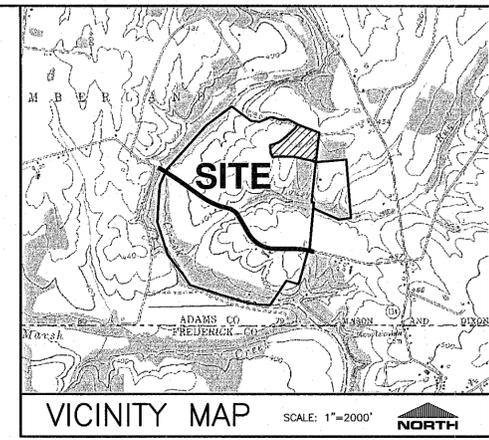
EXHIBIT C

**ALLOCATED INTEREST IN COMMON EXPENSES
AND VOTES APPURTENANT TO UNITS**

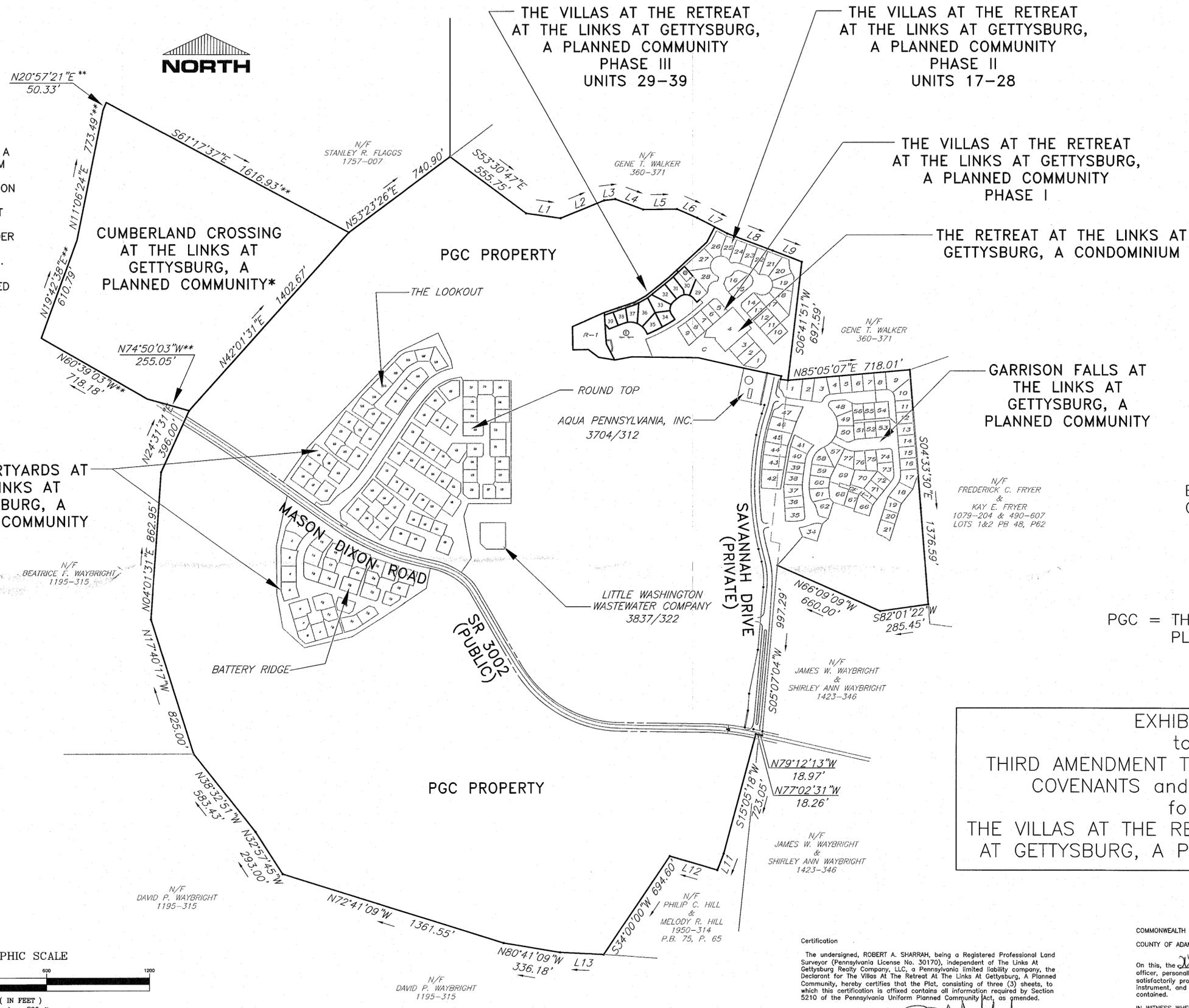
Unit Number**	Allocated Interest (%)	Number of Votes
Existing Planned Community Phase 1		
1	2.63	1
2	2.63	1
3	2.63	1
5	2.63	1
6	2.63	1
7	2.63	1
8	2.63	1
9	2.63	1
10	2.63	1
11	2.63	1
12	2.63	1
13	2.63	1
14	2.63	1
15	2.63	1
16	2.63	1
Existing Planned Community Phase 2		
17	2.63	1
18	2.63	1
19	2.63	1
20	2.63	1
21	2.63	1
22	2.63	1
23	2.63	1

Unit Number**	Allocated Interest (%)	Number of Votes
24	2.63	1
25	2.63	1
26	2.63	1
27	2.63	1
28	2.63	1
New Planned Community Phase 3		
29	2.63	1
30	2.63	1
31	2.63	1
32	2.63	1
33	2.63	1
34	2.63	1
35	2.63	1
36	2.63	1
37	2.63	1
38	2.63	1
39	2.63	1
Total (38 Units)	99.94	38

** Note that there is no Unit 4 in the Community.



*NOTE: THE LAND FOR CUMBERLAND CROSSING AT THE LINKS AT GETTYSBURG, A PLANNED COMMUNITY, WAS PLOTTED FROM THE DECLARATION PLATS AND PLANS ATTACHED AS EXHIBIT C TO THE DECLARATION OF COVENANTS AND RESTRICTIONS FOR CUMBERLAND CROSSING AT THE LINKS AT GETTYSBURG, A PLANNED COMMUNITY RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR ADAMS COUNTY, PENNSYLVANIA IN BOOK 6376, PAGE 467. BEARINGS AND DISTANCES WITH DOUBLE ASTERISKS (**) WERE LINES NOT SURVEYED BY SDGI.



THE COURTYARDS AT THE LINKS AT GETTYSBURG, A PLANNED COMMUNITY

CUMBERLAND CROSSING AT THE LINKS AT GETTYSBURG, A PLANNED COMMUNITY*

THE VILLAS AT THE RETREAT AT THE LINKS AT GETTYSBURG, A PLANNED COMMUNITY PHASE III UNITS 29-39

THE VILLAS AT THE RETREAT AT THE LINKS AT GETTYSBURG, A PLANNED COMMUNITY PHASE II UNITS 17-28

THE VILLAS AT THE RETREAT AT THE LINKS AT GETTYSBURG, A PLANNED COMMUNITY PHASE I

THE RETREAT AT THE LINKS AT GETTYSBURG, A CONDOMINIUM

GARRISON FALLS AT THE LINKS AT GETTYSBURG, A PLANNED COMMUNITY

SEE SHEET 3 OF 3 FOR EASEMENTS AFFECTING PHASE III OF THE VILLAS AT THE RETREAT AS WELL AS PLANNED COMMUNITY NOTES

PGC = THE LINKS AT GETTYSBURG PLANNED GOLF COMMUNITY

PROJECT PERIMETER LINE TABLE

LINE	BEARING	LENGTH
L1	S82°03'21"E	204.99'
L2	N68°05'36"E	276.43'
L3	N83°35'00"E	67.01'
L4	S69°46'52"E	174.38'
L5	N89°18'55"E	197.69'
L6	S66°41'38"E	129.55'
L7	S62°31'11"E	200.21'
L8	S69°26'39"E	282.90'
L9	S69°02'49"E	184.92'
L10	NOT USED	
L11	S21°22'40"W	103.03'
L12	N73°45'04"W	291.63'
L13	N87°11'09"W	259.91'

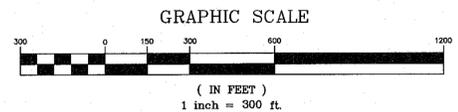


EXHIBIT B to THIRD AMENDMENT TO DECLARATION OF COVENANTS and RESTRICTIONS for THE VILLAS AT THE RETREAT AT THE LINKS AT GETTYSBURG, A PLANNED COMMUNITY

Certification
The undersigned, ROBERT A. SHARRAH, being a Registered Professional Land Surveyor (Pennsylvania License No. 30170), independent of The Links At Gettysburg Realty Company, LLC, a Pennsylvania limited liability company, the Declarant for The Villas At The Retreat At The Links At Gettysburg, A Planned Community, hereby certifies that the Plat, consisting of three (3) sheets, to which this certification is affixed contains all information required by Section 5210 of the Pennsylvania Uniform Planned Community Act, as amended.

Robert A. Sharrah, P.L.S.

COMMONWEALTH OF PENNSYLVANIA : SS.
COUNTY OF ADAMS :
On this, the 22nd day of March, 2021, before me, the undersigned officer, personally appeared ROBERT A. SHARRAH, P.L.S., known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.
Tina M. McGeel, Notary Public

Commonwealth of Pennsylvania - Notary Seal
TINA M. MCGEEL, Notary Public
Adams County
My Commission Expires Mar 25, 2023
Commission Number 1347314

Sharrah Design Group, Inc.
Land Surveying & Design
20 Chambersburg Street
Gettysburg, PA 17325
Phone: (717) 334-5400
Fax: (717) 334-0822
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REVISIONS		
NO.	DATE	DESCRIPTION

XREFS	

811 Know what's below. Call before you dig.
PENNSYLVANIA ACT 287 (1974) AS AMENDED BY PENNSYLVANIA ACT 121 (2008) REQUIRES NO LESS THAN THREE (3) WORKING DAYS AND NO MORE THAN FIVE (5) WORKING DAYS NOTICE TO UTILITIES BEFORE YOU EXCAVATE, DRILL, BLAST OR DEMOLISH.

PLAN PREPARATION	
DRAWN BY: HDB/RAS	DATE: 22 MARCH 2021
DESIGNED BY: RAS	FILE NO.: 9924
CHECKED BY: RAS	DWG: 1 DEC RT PHII 9924

AMENDED DECLARATION PLAT - PHASE III OF THE VILLAS AT THE RETREAT AT THE LINKS AT GETTYSBURG A PLANNED COMMUNITY MOUNT JOY TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA

SCALE 1"=300'
SHEET NO. 1 OF 3

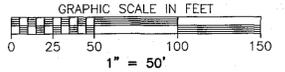
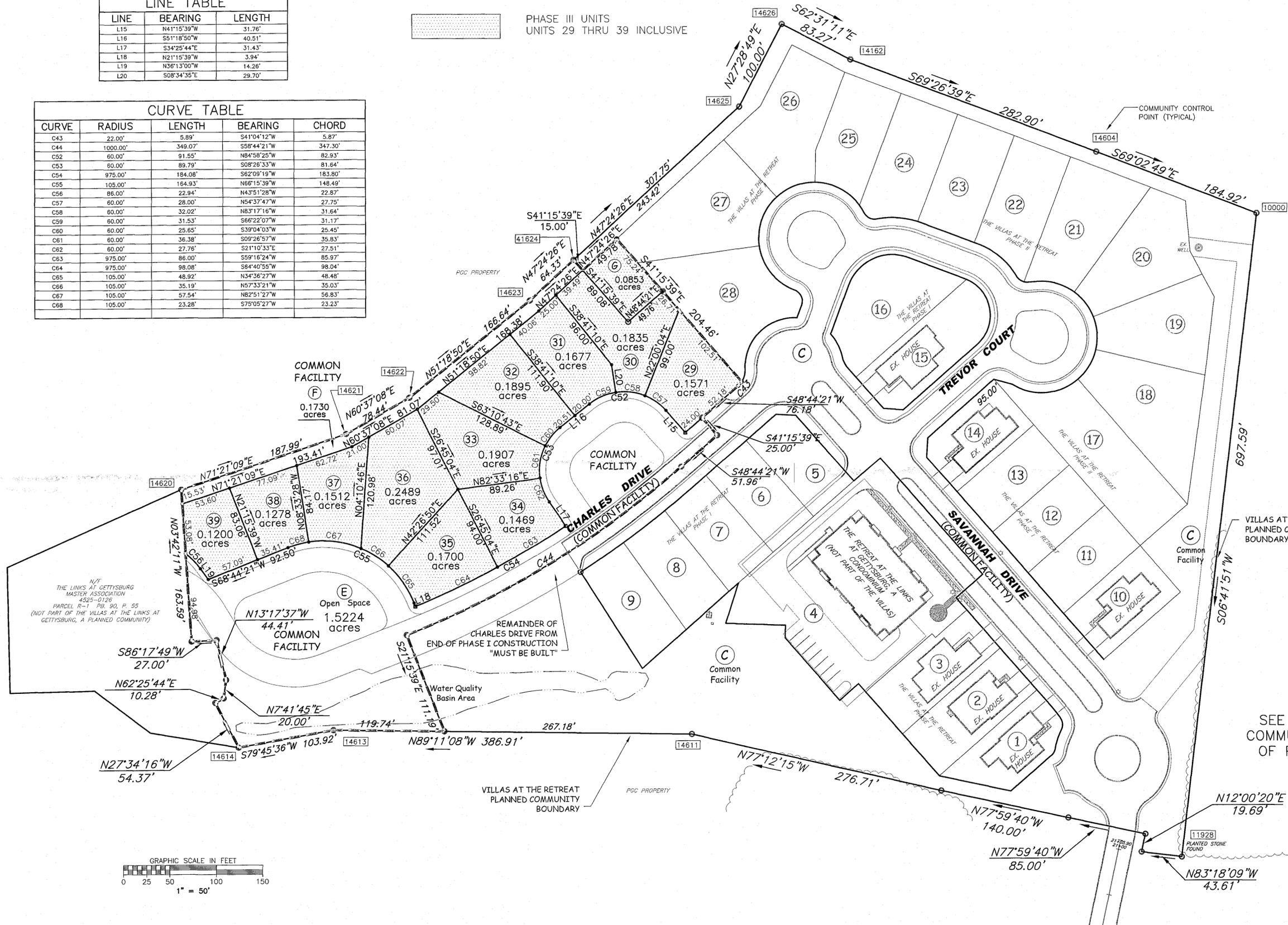
LINE TABLE		
LINE	BEARING	LENGTH
L15	N41°15'39"W	31.76'
L16	S51°18'50"W	40.51'
L17	S34°25'44"E	31.43'
L18	N21°15'39"W	3.94'
L19	N36°13'00"W	14.26'
L20	S08°34'35"E	29.70'

CURVE TABLE				
CURVE	RADIUS	LENGTH	BEARING	CHORD
C43	22.00'	5.89'	S41°04'12"W	5.87'
C44	1000.00'	349.07'	S58°44'21"W	347.30'
C52	60.00'	91.55'	N84°58'25"W	82.93'
C53	60.00'	89.79'	S08°26'33"W	81.64'
C54	975.00'	184.08'	S62°09'19"W	183.80'
C55	105.00'	164.93'	N66°15'39"W	148.49'
C56	86.00'	22.94'	N43°51'28"W	22.87'
C57	60.00'	28.00'	N54°37'47"W	27.75'
C58	60.00'	32.02'	N83°17'16"W	31.64'
C59	60.00'	31.53'	S66°22'07"W	31.17'
C60	60.00'	25.65'	S39°04'03"W	25.45'
C61	60.00'	36.38'	S09°26'57"W	35.83'
C62	60.00'	27.76'	S21°10'33"E	27.51'
C63	975.00'	86.00'	S59°16'24"W	85.97'
C64	975.00'	98.08'	S64°40'55"W	98.04'
C65	105.00'	48.92'	N34°36'27"W	48.48'
C66	105.00'	35.19'	N57°33'21"W	35.03'
C67	105.00'	57.54'	N82°51'27"W	56.83'
C68	105.00'	23.28'	S75°05'27"W	23.23'

PHASE III BOUNDARY
 PHASE III UNITS
 UNITS 29 THRU 39 INCLUSIVE



COMMUNITY CONTROL POINTS			
Point #	Northing	Easting	Description
10000	11790.85	12110.94	LOT COR
14162	11956.31	11673.36	LOT COR
14604	11856.98	11938.25	LOT COR
14611	11230.46	11500.45	LOT COR
14613	11235.96	11113.58	LOT COR
14614	11217.48	11011.32	LOT COR
14619	11331.73	10960.79	LOT COR
14620	11494.98	10950.23	LOT COR
14621	11555.09	11128.35	LOT COR
14622	11593.58	11196.70	LOT COR
14623	11697.74	11326.78	LOT COR
14624	11741.28	11374.14	LOT COR
14625	11906.02	11553.34	LOT COR
14626	11994.74	11599.48	LOT COR
11928	11098.02	12029.59	LOT COR



SEE SHEET 3 FOR PLANNED
 COMMUNITY NOTES AND DETAILS
 OF PHASE III OF THE VILLAS

Sharrah Design Group, Inc.
 Land Surveying & Design
 20 Chambersburg Street
 Gettysburg, PA 17325
 Phone: (717) 334-5400
 Fax: (717) 334-0922

PROFESSIONAL
 ROBERT A. SHARRAH
 SURVEYOR
 PENNSYLVANIA

REVISIONS		
NO.	DATE	DESCRIPTION

XREFS	
NO.	DESCRIPTION

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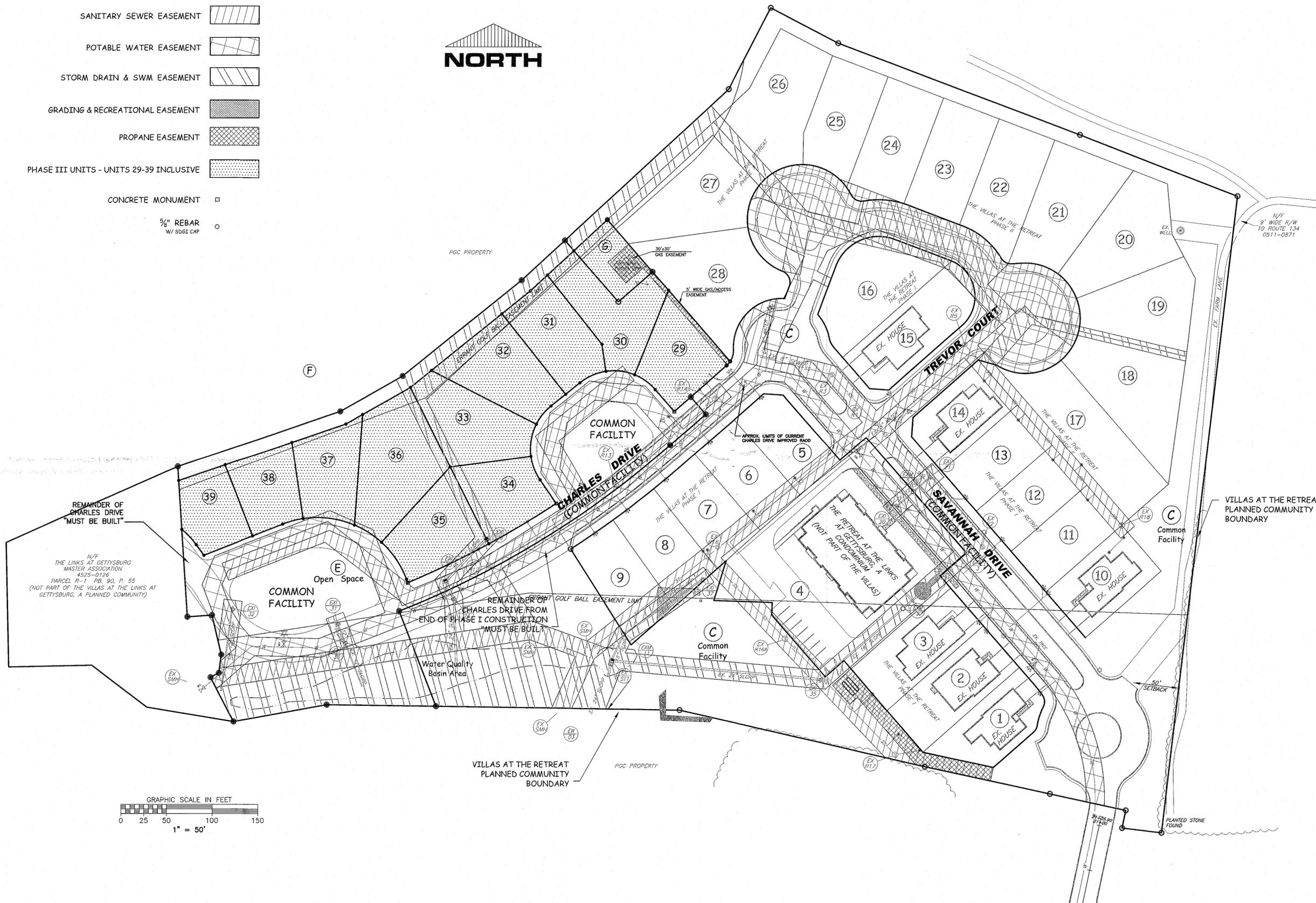
PLAN PREPARATION	
DRAWN BY: HOB/RAS	DATE: 22 MARCH 2021
DESIGNED BY: RAS	FILE NO.: 9924
CHECKED BY: RAS	DWG NO.: 2-3 DEC RT PHII

DECLARATION PLAT - PHASE III OF THE VILLAS
 AT
THE RETREAT
 AT
THE LINKS AT GETTYSBURG
 A PLANNED COMMUNITY
 MOUNT JOY TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA

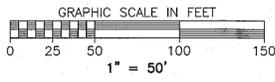
SCALE
 1"=50'
 SHEET NO.
2 OF 3

LEGEND

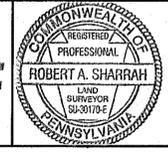
- SANITARY SEWER EASEMENT
- POTABLE WATER EASEMENT
- STORM DRAIN & SWM EASEMENT
- GRADING & RECREATIONAL EASEMENT
- PROPANE EASEMENT
- PHASE III UNITS - UNITS 29-39 INCLUSIVE
- CONCRETE MONUMENT
- 3/8" REBAR W/ SD61 CAP



- Notes:
1. The "lot" lines shown herein for individual building lots are the Unit Boundaries as described in the Declaration of Covenants and Restrictions for The Villas At The Retreat At The Links At Gettysburg, A Planned Community (as amended, the "Declaration").
 2. See Sheet 1 for an overall plan of The Links at Gettysburg and Sheets 2 & 3 for details of Phase III of The Villas at The Retreat.
 3. Except for the Units, Limited Common Elements and Common Elements located within Phase III, and except as otherwise labeled "MUST BE BUILT", all improvements shown on this plot are contemplated improvements only that NEED NOT BE BUILT and which consist of Convertible Real Estate, Withdrawable Real Estate and/or Additional Real Estate, as applicable. The locations of all such contemplated improvements as shown herein are approximate. Notwithstanding anything to the contrary herein, all portions of Common Facility C shall remain Withdrawable Real Estate.
 4. Any portion of a driveway intended to serve an individual Unit but located outside the Unit boundaries is a Limited Common Element appurtenant to the Unit it serves.
 5. Declarant has reserved unto itself the Special Declarant Right granted in Section 5215 of the Pennsylvania Uniform Planned Community Act to subdivide or convert any Unit owned by Declarant into two or more Units, Common Elements or a combination of Units and Common Elements. At the time a Unit or Units are created in the Community, Declarant shall own all such newly created Units.
 6. Certain portions of Units are designated as Controlled Facilities in the Declaration. These portions include, but may not be limited to, all easement areas within Unit boundaries, such as stormwater drainage and other stormwater facilities easements, all utility easements such as potable water, sanitary sewer and propane gas, portions of clear sight triangles within Units, and any part of an errant golf ball easement within a Unit.



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PLAN PREPARATION	
DRAWN BY: HDB/RAS	DATE: 22 MARCH 2021
DESIGNED BY: RAS	FILE NO.: 9924
CHECKED BY: RAS	DWG NO.: 2-3 DEC RT PHIII

DECLARATION PLAT - PHASE III OF THE VILLAGES AT THE RETREAT AT THE LINKS AT GETTYSBURG A PLANNED COMMUNITY
 MOUNT JOY TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA

SCALE 1"=50'
 SHEET NO. 3 OF 3