



Joseph L. Weir
RECORDER OF DEEDS

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**THIRD AMENDMENT TO
PLANNED COMMUNITY DECLARATION
for
STEARNS CROSSING**

**College Township,
Centre County, Pennsylvania**

**Submitted pursuant to the provisions
of the Pennsylvania Uniform Planned Community Act,
68 Pa.S. § 5101 et seq.**

THIS THIRD AMENDMENT TO PLANNED COMMUNITY DECLARATION is made this 28th day of March, 2008 by **Stearns Boal, L.P.**, a Pennsylvania limited partnership (hereinafter referred to as "Declarant").

WHEREAS, Declarant is the developer of certain real estate located in College Township, Centre County, Pennsylvania, known as Stearns Crossing, as more particularly described in the Planned Community Declaration for Stearns Crossing dated January 15, 2004, and recorded in the office of the Recorder of Deeds of Centre County in Record Book 1650, Page 277 (hereinafter referred to as the "Original Declaration"); and

WHEREAS, the Original Declaration provides in Section 15.1 that the Declarant may add real estate, known as "Additional Real Estate", to the Planned Community; and

WHEREAS, Declarant has added Additional Real Estate to the Planned Community and which real estate is described in the First Amendment to Planned Community Declaration dated June 16, 2004 and recorded in Centre County Record Book 1712 Page 0256, and further shown on a plot plan recorded in Centre County Plat Book 71, Page 47-48, and

WHEREAS, Declarant has added Additional Real Estate to the Planned Community and which real estate is described in the Second Amendment to Planned Community Declaration dated September 6, 2005 and recorded in Centre County Record Book 1872, Page 390, and further shown on a plot plan recorded in Centre County Plat Book 74, Page 34 and 35, and Plat Book 74, Pages 183 and 184.

WHEREAS, Declarant desires to add Additional Real Estate to the Planned Community and which real estate is described in Exhibit "A" and shown on a plot plan recorded in Centre County Plat Book 80, Page 39, and also being subject to the covenants, restrictions, easements, charges and liens hereinafter set forth, and each and all of which is and or for the benefit of said property and each owner thereof.

NOW THEREFORE, the Declarant hereby declares that Additional Real Estate shall be added to the Planned Community of Stearns Crossing and the Planned Community Declaration for Stearns Crossing shall be amended as follows:

1. The Declarant declares that the real estate described in **Exhibit "A"** and known as **Phase VII Stearns Crossing** and as shown on a Plat Plan recorded in Centre County Plat Book 80, Page 39, is and shall be held, transferred, sold, conveyed and occupied subject to the terms of the Planned Community Declaration for Stearns Crossing dated January 15, 2004, and recorded in Centre County in Record Book 1650, Page 277, the First Amendment to Planned Community Declaration dated June 16, 2004 and recorded In Centre County Record Book 1712 Page 0256, and the Second Amendment to Planned Community Declaration dated September 6, 2005, and recorded In Centre County Record Book 1872, Page 0390 with the following exceptions:

A. Paragraph 1.2 shall be amended so that the following easements and licenses are included:

(1) Right of Way to Bell Telephone Company as recorded May 14, 1960 in Centre County Miscellaneous Book 65, Page 526.

(2) Right of Way to West Penn Power Company as recorded October 17, 1960 in Centre County Miscellaneous Book 67, Page 357.

(3) Right of Way to Columbia Gas Company of Pennsylvania as recorded August 15, 1967 in Centre County Miscellaneous Book 96, Page 712.

(4) Right of Way to Columbia Gas Company of Pennsylvania as recorded October 21, 1966 in Centre County Miscellaneous Book 93, Page 753.

(5) Right of Way to Columbia Gas Company of Pennsylvania as recorded July 11, 1968 in Centre County Miscellaneous Book 103, Page 80.

(6) Right of Way from James C. Wambold and Alice Wambold, husband and wife, to Stearns Boal, L.P. and Antioch International Church and Ministries, Inc. dated September 24, 2003 and recorded in Centre County Record Book 1644, Page 772.

(7) Assignment of Easement and Mortgage form Stearns Boal, L.P. to Kishacoquillas Valley National Bank dated October 3, 2003 and recorded in Centre County Record Book 1611, Page 407.

(8) Subject to the easements, rights, conditions, and plan notes as shown on the Final Subdivision Plan for STEARNS CROSSING, Phases I, II, and III recorded in Centre County Plat Book 70, Pages 122-123.

(9) Planned Community Declaration for Stearns Crossing as recorded 1-29-04 in Record Book 1650, page 277.

(10) Stearns Boal to Stearns Crossing Homeowners Association, Inc. -- Lot 213 Stearns Crossing 19-4A-258) as dated 1-27-04 and recorded 2-13-04 in Record Book 1654, Page 953. Outsale- detention basin.

(11) Stearns Crossing Homeowners Association - Stearns grants a perpetual easement for bike path & walking paths as recorded 2-13-04 in Record Book 1654, Page 957.

(12) Right-of-Way to West Penn Power Company dba Allegheny Power as recorded 8-30-04 in Record Book 1734, Page 300.

(13) First amendment to Planned Community Declaration for Stearns Crossing as recorded 7-2-04 in Record Book 1712, Page 256.

(14) College Township Water Authority -- Right-of-Way for water line as recorded 8-16-04 in Record Book 1729, page 242.

(15) Verizon Pennsylvania, Inc. & Allegheny Power Right-of-Way as recorded 9-10-04 in Record Book 1738, page 714.

(16) Right-of-Way to West Penn Power Company dba Allegheny Power as recorded 7-9-04 in Record Book 1714, Page 581.

(17) Stearns Crossing Homeowners Association - easement agreement - Lot 263 19-4A-296 as recorded 9-14-04 in Record Book 1740, Page 30.

(18) Stearns Crossing Homeowners Association - Deed of Dedication Lot 273 Phase IV 19-4A-307 as recorded 9-15-04 in Record Book 1740, Page 324.

(19) College Township - Deed of Dedication of Holly Ridge Drive, etc. as recorded 10-6-04 in Record Book 1748, Page 111.

(20) Deed of Dedication - College Township - for Wild Rose Way as recorded 10-6-04 in Record Book 1748, Page 116.

(21) College Township - Deed of Dedication of Ivy Hill Drive as recorded 10-6-04 in Record Book 1748, Page 120.

(22) College Township - Deed of Dedication Lot 275 Phase IV Parcel 1 as recorded 10-6-04 in Record Book 1748, Page 128.

(23) Common. of Penna. Department of Transportation - Highway Occupancy Permit for Rt. 3011 - to be completed 4-2-05 as recorded 4-19-04 in Record Book 1677, Page 556.

(24) Verizon Pennsylvania, Inc. - easement - 19-4A-300A - Lot 213 as recorded 9-10-04 in Record Book 1738, Page 709.

(25) Subject to the easements, rights, conditions, and plan notes as shown on the Final Subdivision Plan for STEARNS CROSSING, Phase IV, recorded in Centre County Plat Book 71, Pages 47-48.

(26) Right-of-Way to Bell Telephone Company as recorded 5-1-59 in Misc. Book 60, Page 342.

(27) Bell of Pennsylvania Right of Way modification agreement - (modifies MS: 60 PG: 342) as recorded 6-28-76 in Misc. Book 131, page 64.

(28) Subject to the easements, rights, conditions, and plan notes as shown on the Final Subdivision Plan for STEARNS CROSSING, Phase V, recorded in Centre County Plat Book 74, Pages 34 and 35.

(29) Subject to the easements, rights, conditions, and plan notes as shown on the Final Subdivision Plan for STEARNS CROSSING, Phase VI, recorded in Centre County Plat Book 74, Pages 183 and 184.

(30) Right of Way to Columbia Gas Company of Pennsylvania as recorded August 9, 2005 in Centre County Record Book 1859, Page 847.

(31) Second Amendment to Planned Community Declaration for Stearns Crossing as recorded 9-9-05 in Record Book 1872, Page 390.

(32) Right-of-Way to West Penn Power Company, dba Allegheny Power as recorded 9-19-05 in Record Book 1875, Page 843.

(33) Verizon Pennsylvania, Inc. - easement - 19-1C-100A and 100B and 19-1C-200-240 as recorded 10-17-05 in Record Book 1886, Page 913.

(34) Stearns Boal to Stearns Crossing Home Owners Association - Deed of Dedication Lot 88 Phase V 19-1C-212 and Lot 101 Phase V 19-1C-211 as recorded 12-23-05 in Record Book 1910, Page 679.

(35) College Township Water Authority - Right-of-Way for waterline as recorded 1-6-06 in Record Book 1914, Page 1032.

(36) Deed of Dedication - College Township - for October Drive as recorded 9-8-06 in Record Book 1972, Page 141.

(37) Deed of Dedication - College Township - for Fernleaf Court, Phase VI as recorded 9-8-06 in Record Book 1972, Page 142.

(38) Deed of Dedication - College Township - for Fernleaf Court, Phase V as recorded 9-8-06 in Record Book 1972, Page 143.

(39) Deed of Dedication - College Township - for Mossey Glen Road as recorded 9-8-06 in Record Book 1972, Page 144.

(40) Deed of Dedication - College Township - for Mountain Laurel Drive as recorded 9-8-06 in Record Book 1972, Page 145.

(41) Stearns Crossing Home Owners Association - Stearns grants a perpetual easement for bike path, walking paths and walking easements as recorded 10-16-06 in Record Book 1974, Page 698.

(42) Deed of Dedication - College Township for Mossey Glen Road as recorded 9-8-2006 in Record Book 1972, Page 0141.

(43) Deed of Dedication - College Township regarding Phase V as recorded 9-8-2006 in Record Book 1972, Page 142.

(44) Deed of Dedication - College Township for Fernleaf Court as recorded 9-8-2006 in Record Book 1972, Page 143.

(45) Deed of Dedication - College Township for Mossey Glen Road as recorded 9-8-2006 in Record Book 1972, Page 144.

(46) Deed of Dedication - College Township for Mountain Laurel Drive as recorded 9-8-06 in Record Book 1972, Page 145.

(47) Easement Agreement to Stearns Crossing HOA as recorded 10-16-06 in Record Book 1974, Page 698.

(48) Replot and Resubdivision of Lot 118R and Phase VII Final Subdivision as recorded 12-14-07 in Plat Book 80, Page 39.

(49) Easement Agreement of Verizon Pennsylvania Inc. as recorded 10-17-05 in Record Book 1886, Page 913.

(50) Deed of Dedication - Stearns Crossing HOA regarding Lot No. 88 as recorded 12-23-2005 in Record Book 1910, Page 679.

(51) Deed of Dedication - Stearns Crossing HOA regarding Lot No. 117 as recorded 12-23-2005 in Record Book 1910, Page 684.

(52) Declaration of Easement to College Township Water Authority as recorded 1-6-06 in Record Book 1914, Page 1032.

(53) Subject to the easements, rights, conditions, and plan notes as shown on the Final Subdivision Plan for STEARNS CROSSING, Phase VII, recorded in Centre County Plat Book 80, Page 39.

B. Paragraph 3.1 shall be amended to read as follows:

3.1 **Units:** The location and dimensions of all Units comprising the Planned Community are shown on the Plans recorded in Centre County Plat Book 80, Page 39. There are thirteen (13) planned phases for the Planned Community and Declarant is under no obligation to construct more than seven (7) phases. The number of projected Units in each phase are as follows:

Phase I	11
Phase II	12
Phase III	13
Phase IV	10
Phase V	27
Phase VI	11
Phase VII	38

Declarant reserves the right to change the total number of Units, the total number of phases, and the total number of Units per phase.

Declarant reserves the right to change or alter the location and dimensions of Units and the size of buildings or dwellings to be constructed upon a Unit in undeveloped phases provided that such change or

alteration does not conflict with the architectural control and protective covenants set forth in Article VII and VIII hereof by the imposition of lesser standards. Except to the extent provided by the Declaration, each Unit Owner is responsible for the maintenance, repair and replacement of his or her Unit and improvements thereon.

C. Paragraphs 8.24 and 8.25 shall be amended, in regard to Phase VII only, to read as follows:

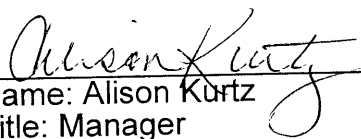
8.24. Minimum finished square footage of living space above grade of all dwellings, excluding basements and garages, must be at least three thousand (3,000) square feet in Phases I, II, III and VII, two thousand five hundred (2,500) square feet in Phase IV, and two thousand four hundred (2,400) square feet [2,200 square feet for a house of only one floor above grade] in Phases V and VI, subject to Declarant's exclusive right to waive this provision as, in Declarant's judgment, is required by special circumstances, and such decision of waiver shall be final.

8.25. In Phases VII, each dwelling built on a Lot shall have a cost, at the time of construction, of no less than Three Hundred Thousand (\$300,000) Dollars (exclusive of Lot purchase); said amount to be increased annually in accordance with the Consumer Price Index in effect on June 1, 2005.

2. In all other respects, the Planned Community Declaration for Stearns Crossing shall remain in full force and effect.

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

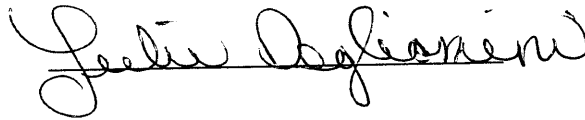
STEARNS BOAL, L. P., by its general partner, **Stearns Boal, LLC**

By: 
Name: Alison Kurtz
Title: Manager

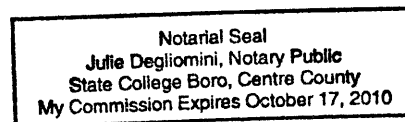
COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF CENTRE) SS:

On this, the 28th day of March, 2008, before me, the undersigned officer, personally appeared Alison Kurtz, who acknowledged herself to be the Manager of Stearns Boal, LLC, general partner of Stearns Boal, L.P., and as such manager, she being authorized to do so, executed the foregoing instrument for the purpose therein contained by signing the name of the limited liability company by herself as such officer.

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



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Legal Description

Stearns Crossing, VII

Lot 167

All that certain tract of land situated in College Township, Centre County, PA, being Lot No. 167, as shown on a plan entitled, "Stearns Crossing, Single Family Residential Subdivision, Final Subdivision Plan, (Panel 1), Phase VII, Final Subdivision, Record Plan" dated July 20, 2007 by PennTerra Engineering, Inc., State College, PA, and recorded at the Centre County Recorder of Deeds Office in Plat Book 80, Pg. 39, being bounded and described as follows:

Beginning at an iron pin, being a southerly corner of Lot No. 112 and lying in a westerly R/W line of Mossey Glen Road (50'R/W); thence along said R/W, along a curve to the left, having a chord bearing of $S28^{\circ}49'19''E$, a chord distance of 45.88 feet, a radius of 300.00 feet and an arc length of 45.92 feet to an iron pin; thence continuing along said R/W, along a curve to the right, having a chord bearing of $S33^{\circ}05'20''E$, a chord distance of 8.16 feet, a radius of 1975.00 feet and an arc length of 8.16 feet to an iron pin; thence traversing through said R/W $N59^{\circ}36'58''E$, 50.05 feet to an iron pin, lying in an easterly line of said R/W, being a southerly corner of Lot No. 118R; thence along Lot No. 118R $N59^{\circ}36'58''E$, 148.49 feet to an iron pin, being an easterly corner of said lot and lying in a westerly line of Lot No. 117; thence along said lot $S30^{\circ}53'18''E$, 114.73 feet to an iron pin, being an easterly corner of said lot and lying in a northerly R/W line of Meadowsweet Drive (50'R/W); thence along said R/W $N59^{\circ}06'42''E$, 20.00 feet to an iron pin, lying in a northerly line of said R/W and being a southerly corner of Lot No. 117; thence continuing along Lot 117, $N30^{\circ}53'18''W$, 112.87 feet to an iron pin; thence $N59^{\circ}36'58''E$, 139.33 feet to an iron pin; thence continuing along said lot $N12^{\circ}21'21''E$, 99.07 feet to an iron pin, being a common corner of said lot, Lot No. 129 and Lot No. 148; thence along Lot No. 148 and $S73^{\circ}14'54''E$, 140.14 feet to an iron pin, being a southerly corner of Lot No. 148 and lying in a westerly R/W line of Pepperberry Lane (50'R/W); thence along said R/W, along a curve to the left, having a chord bearing of $S13^{\circ}01'35''W$, a chord distance of 27.16 feet, a radius of 425.00 feet and an arc length of 27.16 feet to an iron pin; thence traversing through said R/W $S78^{\circ}48'17''E$, 50.00 feet to an iron pin, lying in an easterly line of said R/W and being a westerly corner of Lot No. 164; thence along Lot No. 164 $S79^{\circ}20'40''E$, 160.62 feet to an iron pin; thence

continuing along said lot N33°57'23"E, 126.66 feet to an iron pin, being an easterly corner of said lot and lying in a westerly line of lands owned now or formerly by Dr. Gerald F. & Susan W. Clair (Tax Parcel 19-4-12, RB 661 Pg. 225); thence along said lands S12°31'10"E, 2023.42 feet to an iron pin, lying in a westerly line of said lands and being a northerly corner of lands owned now or formerly by Raymond F. & Dorothy R. Nungesser (Tax Parcel 19-4A-282, RB 1879 Pg. 82); thence along said lands S77°28'50"W, 83.56 feet to an iron pin, being a westerly corner of said lands and an easterly corner of lands owned now or formerly by Yaw D. & Julia A. Yeboah (Tax Parcel 19-4A-281, RB 1820 Pg. 388); thence along the Yaw lands N59°30'26"W, 125.00 feet to an iron pin; thence continuing along said lands and along lands owned now or formerly by Rebecca S. Hamilton (Tax Parcel 19-4A-280, RB 1977 Pg. 577), N58°36'01"W, 144.06 feet to an iron pin, being a westerly corner of the Hamilton lands and an easterly corner of lands owned now or formerly by Terry D. & Penny M. Etherton (Tax Parcel 19-4A-279, RB 1700 Pg. 503); thence along the Etherton lands and along lands owned now or formerly by Robert H. Elliott Jr. (Tax Parcel 19-4A-278, RB 1985 Pg. 168), N46°38'23"W, 183.35 feet to an iron pin; thence continuing along the Elliott lands S64°23'24"W, 157.87 feet to an iron pin, being a westerly corner of said lands and lying in a westerly R/W line of Holly Ridge Drive (50'R/W); thence traversing through said R/W S55°24'07"W, 50.56 feet to an iron pin, lying in a westerly line of said R/W and being an easterly corner of Lot No. 233; thence along said lot S58°11'16"W, 163.86 feet to an iron pin, being a southerly corner of said lot and lying in an easterly line of lands owned now or formerly by John S. & Deborah C. Campbell (Tax Parcel 19-1B-100, RB 933 Pg. 570); thence along said lands and along lands owned now or formerly by John S. & Deborah C. Campbell (Tax Parcel 19-1B-101, RB 1089 Pg. 482), N18°30'38"W, 408.28 feet to an iron pin; thence continuing along the Campbell lands N21°05'43"W, 14.54 feet to an iron pin, being a northerly corner of said lands and an easterly corner of lands owned now or formerly by State College Area School District (Tax Parcel 19-4-34D, DB 103 Pg. 808); thence along said lands N19°11'22"W, 211.52 feet to an iron pin, lying in an easterly line of said lands and being a southerly corner of Lot No. 192; thence along said lot and along Lot No. 191 N79°05'13"E, 301.25 feet to an iron pin; thence continuing along Lot No. 191 and along Lot No. 190, N22°20'51"E,

180.66 feet to an iron pin; thence continuing along Lot No. 190 and along Lot No.'s 189, 188, 187 and 186, N16°20'57"W, 651.76 feet to an iron pin; thence continuing along Lot No. 186 S70°48'04"W, 200.28 feet to an iron pin, being a westerly corner of said lot and lying in an easterly R/W line of Primrose Court (Future 50'R/W); thence along said R/W, along a curve to the left, having a chord bearing of N25°56'23"W, a chord distance of 141.26 feet, a radius of 2025.00 feet and an arc length of 141.29 feet to an iron pin; thence traversing through said R/W, S44°37'56"W, 52.47 feet to an iron pin, lying in a westerly line of said R/W and being a northerly corner of Future Lot No. 199; thence along said lot S70°43'13"W, 186.69 feet to an iron pin, being a westerly corner of said lot and lying in an easterly line of lands owned now or formerly by Karin E. Long (Tax Parcel 19-1C-112, RB 481 Pg. 813); thence along the Long lands and along lands owned now or formerly by Jerry A. Olsen (Tax Parcel 19-1C-113, DB 433 Pg. 38), lands owned now or formerly by Karen L. & Joseph A. O'Brien (Tax Parcel 19-1C-114, RB 544 Pg. 918) and lands owned now or formerly by Steven & Dina Guthoff (Tax Parcel 19-1C-115, RB 700 Pg. 842), N19°16'47"W, 226.09 feet to an iron pin, lying in an easterly line of said Guthoff lands and being a southerly corner of lands owned now or formerly by BHL Partnership (Tax Parcel 19-1C-200, RB 1969 Pg. 64); thence along said lands N65°33'51"E, 141.80 feet to an iron pin, being the place of beginning, containing 26.053 acres.

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