



R 02025-0179 Dec 16, 2008

STEARNS BOAL LP
STEARNS BOAL LP

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RECORDER OF DEEDS

KALIN
29

**FOURTH 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 FOURTH AMENDMENT TO PLANNED COMMUNITY DECLARATION is made this 25th day of November, 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, pursuant to the Declaration, Declarant has filed three Amendments to the Declaration adding Additional Real Estate to the Planned Community.

WHEREAS, the Third Amendment to the Planned Community Declaration for Stearns Crossing was dated March 28, 2008 and was recorded in Centre County Record Book 2007-0752 on March 31, 2008. The Third Amendment included, among others, an Amendment to Section 8.24 of the original Declaration. The language of Section 8.24 as included in the Third Amendment was erroneous, and it is the purpose of this Fourth Amendment to correct the above language.

NOW THEREFORE, Declarant hereby amends the original Declaration as follows:

1. Paragraph 8.24 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 (Lots 233, 234, 236, 237, 238, 239, 240, 241, 242, 243, 244 and 245), two thousand five hundred (2,500) square feet in Phase IV, two thousand four hundred (2,400) square feet [2,200 square feet for a house of only one floor above grade] in Phases V, VI and VII (Lots 113, 114, 115, 116, 149, 165, 166, 167, 183, 184, and 185), two thousand seven hundred (2,700) square feet [2,400 square feet for a house of only one floor above grade] in Phase VII (Lots 168 through 182, inclusive) 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.

2. Since the recording of Third Amendment to Planned Community Declaration on March 31, 2008, Units have been sold to the following persons:
- (a) Deed of Stearns Boal, L.P. to BHL Partnership dated March 28, 2008 and recorded on April 2, 2008 in Centre County Record Book 2007, Page 950.
 - (b) Deed of Stearns Boal, L.P. to GEM Homebuilders, Inc. dated April 23, 2008 and recorded on May 1, 2008 in Centre County Record Book 2009, Page 911.
 - (c) Deed of Stearns Boal, L.P. to Kick It Around Investments, L.L.C. dated May 27, 2008 and recorded on June 5, 2008 in Centre County Record Book 2012, Page 441.
 - (d) Deed of Stearns Boal, L.P. to Roderick J. Bartell and Kathy A. Bartell dated August 26, 2008 and recorded on September 15, 2008 in Centre County Record Book 2020, Page 487.
 - (e) Deed of Stearns Boal, L.P. to Mary F. Boulanger dated August 26, 2008 and recorded on September 29, 2008 in Centre County Record Book 2021, Page 266.
 - (f) Deed of Stearns Boal, L.P. to GEM Homebuilders, Inc. dated September 19, 2008 and recorded on October 30, 2008 in Centre County Record Book 2022, Page 976.
3. 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 Fourth 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

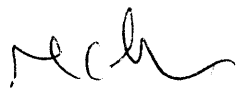
[SIGNATURES CONTINUED ON NEXT PAGE]

We, the undersigned, consent to the Fourth Amendment to Planned Community Declaration for Stearns Crossing.

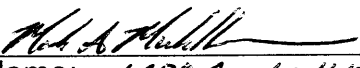
BHL PARTNERSHIP (Lot 113)

By: 
Name: GARY A. SANTORUCK
Title: PARTNER

GEM HOMEBUILDERS, INC.
(Lot 124, 126 & 233)

By: 
Name: Greg Snipes
Title: PRESIDENT

KICK IT AROUND INVESTMENTS,
LLC (Lot 111)

By: 
Name: MARRA MUHLHAUSER
Title: Co-Owner

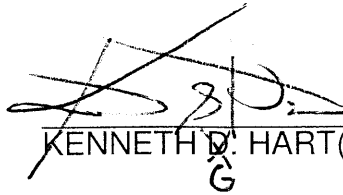

(Seal)
RODERICK J. BARTELL (Lot 175)



(Seal)
KATHY A. BARTELL (Lot 175)


(Seal)
MARY F. BOULANGER (Lot 239)


(Seal)
GREGORY R. KUNES (Lot 238)


(Seal)
PATRICIA M. KUNES (Lot 238)

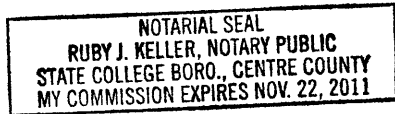
 (seal)
KENNETH D. HART (Lot 176)

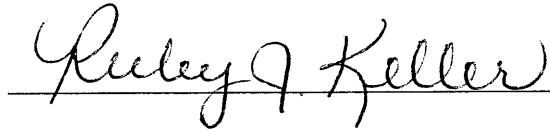
 (Seal)
DARLA J. HART (Lot 176)

COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF CENTRE } SS:

On this, the 25 day of November, 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.

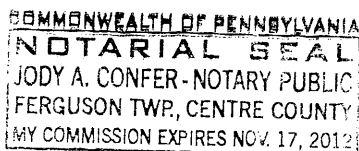




COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF CENTRE } SS:

On this, the 1st day of December, 2008, before me, the undersigned officer, personally appeared BHL Partnership, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument as Agent for BHL Partnership, and acknowledged that she/he executed ^{(GARY} the same for the purpose therein contained. _{BOYTRAGER, PARTNER)}

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





COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF CENTRE) SS:

On this, the 1st day of December, 2008, before me, the undersigned officer, personally appeared GEM HOMEBUILDERS, INC., known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument as Agent for GEM Homebuilders, Inc and acknowledged that she/he executed (GARY SNIPES, PRESIDENT) the same for the purpose therein contained.

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

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
JODY A. CONFER - NOTARY PUBLIC
FERGUSON TWP., CENTRE COUNTY
MY COMMISSION EXPIRES NOV. 17, 2012

Jody A. Confer

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF CENTRE) SS:

On this, the 1st day of December, 2008, before me, the undersigned officer, personally appeared Kick It Around Investments, LLC, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument as Agent for Kick It Around Inv. LLC and acknowledged that she/he executed (MARK A. MUTHAUSER, Co-owner) the same for the purpose therein contained.

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

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
JODY A. CONFER - NOTARY PUBLIC
FERGUSON TWP., CENTRE COUNTY
MY COMMISSION EXPIRES NOV. 17, 2012

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Jody A. Confer

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF CENTRE) SS:

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
JODY A. CONFER - NOTARY PUBLIC
FERGUSON TWP., CENTRE COUNTY
MY COMMISSION EXPIRES NOV. 17, 2012

On this, the 10th day of December, 2008, before me, the undersigned officer, personally appeared Roderick J. Bartell and Kathy A. Bartell, husband and wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

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

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
JODY A. CONFER - NOTARY PUBLIC
FERGUSON TWP., CENTRE COUNTY
MY COMMISSION EXPIRES NOV. 17, 2012

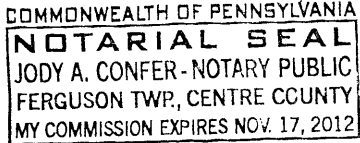
Jody A. Confer

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CENTRE

} SS:

On this, the 13th day of December, 2008, before me, the undersigned officer, personally appeared Mary F. Boulanger, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purpose therein contained.

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



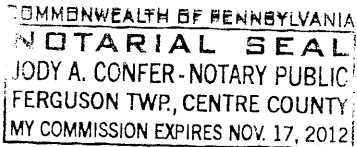
Jody A. Confer

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CENTRE

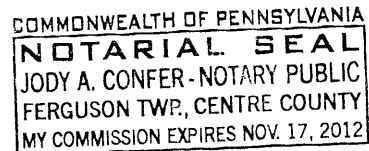
} SS:

On this, the 3rd day of December, 2008, before me, the undersigned officer, personally appeared Gregory R. Kunes and Patricia M. Kunes, husband and wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

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



Jody A. Confer

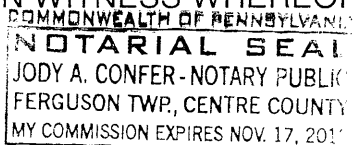


COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CENTRE

} SS:

On this, the 2nd day of December, 2008, before me, the undersigned officer, personally appeared Kenneth G. Hart and Darla J. Hart, husband and wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

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



Jody A. Confer

