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Michele Mustello

Butler County Recorder PA

2/16/2022 10:24 AM

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Mail To: Duffy Highlands LP
800 S Washington St
Evans City, PA 16033

FIRST AMENDMENT TO DECLARATION

FOR

DUFFY HIGHLANDS, A PLANNED COMMUNITY



I hereby CERTIFY
that this document is
recorded in the
Recorder's Office
of Butler County,
Pennsylvania

Michele M. Mustello
Michele M. Mustello - Recorder of Deeds

This FIRST AMENDMENT TO DECLARATION FOR DUFFY HIGHLANDS, A PLANNED COMMUNITY (the "Amendment") is made this 16th day of February 2022, by **Duffy Highlands, LP**, a Pennsylvania limited partnership, the Declarant of DUFFY HIGHLANDS, a Planned Community situate in the Townships of Center and Butler, County of Butler and Commonwealth of Pennsylvania.

WHEREAS, the Duffy Highlands, a Planned Community, was created pursuant to a certain Declaration for Duffy Highlands, A Planned Community dated March 15, 2019, and recorded March 15, 2019, in the Recorder of Deeds Office of Butler County Pennsylvania ("Recorder's Office") at Instrument Number 201903150004540 (the "Declaration").

WHEREAS, pursuant to Article XI of the Declaration, the Declarant desires to amend the Declaration to include Additional Real Estate, as defined therein, and other related amendments.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. The Exhibit "A" to the Declaration is hereby amended to include the real property described in Exhibit "A" to this Amendment ("Phase II Property") so that the Phase II Property is made part of the "Property" subject to the Declaration.
2. The definition of "Phase I" set forth in Section 2.17 of the Declaration is hereby deleted in its entirety and replaced with the following:

2.17 *"Phase I" shall mean Lot Numbers 101 – 130, Parcel C-1, Parcel CC, Parcel A, Royal Aberdeen Boulevard, Muirfield Court and Gleneagles Drive as shown on the Duffy Highlands, a Planned Community Plan for Recording, as recorded in the Office of the Recorder of Deeds of Butler County, Pennsylvania at Instrument Number 201803010003830, together with the appurtenant Common Elements necessary for the use and enjoyment of those Lots.*

3. The Exhibit "B" of the Declaration is hereby amended to include the description of the Duffy Highlands, a Planned Community Phase 2 Plan for Recording, described in Exhibit "B" to this Amendment ("Phase II") so that the Phase II is made part of the "Plan" subject to the Declaration.
4. The Declaration is hereby amended to include the following definition:

“Phase II” shall mean Lot Numbers 201-220, Parcel B2, and Gleneagles Drive as shown on the Duffy Highlands, a Planned Community Phase 2 Plan for Recording, as recorded in the Office of the Recorder of Deeds of Butler County, Pennsylvania at Instrument Number 202109230027041, together with the appurtenant Common Elements necessary for the use and enjoyment of those Lots.

5. The terms of Exhibit “C” of the Declaration are hereby deleted in their entirety and replaced with the following:

The Additional Real Estate shall consist of any and all Lots, Open Space Parcels or residual area as shown on the Plan that is not included within Phase I, Phase II and any Common Elements thereof.

6. This Amendment is being made pursuant to the terms of the Declaration for the purpose of making the Phase II Property and the Phase II subject to the scheme of the Declaration and to extend the jurisdiction of the Association to cover the Phase II Property and Phase II.
7. All Capitalized terms not defined herein or otherwise amended herein shall have the same meaning as is given to such terms in the Declaration.
8. This Amendment includes all amendments, modifications, and changes to the Declaration as of the date of this Amendment. The provisions of this Amendment are intended to amend and supplement the provisions of the Declaration and shall be construed so as to avoid conflicts between their respective terms, however, that in the event of a conflict or inconsistency between the provisions of this Amendment and the Declaration, the terms of this Amendment shall control. As amended by this Amendment, the Declaration is hereby ratified and affirmed and remains in full force and effect.

[SIGNATURE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the undersigned Declarant has executed this Amendment as of the date and year first written above.

WITNESS/ATTEST:

DUFFY HIGHLANDS, LP,
a Pennsylvania limited partnership

By: Duffy Highlands Holdings, LLC,
a Pennsylvania limited liability company,
its general partner

By: Brennan Family Holdings, LLC,
a Pennsylvania limited liability company,
its sole member

Pamela A. Fanto-Damico

By: *Robert A. Brennan*
Robert A. Brennan, Manager

ACKNOWLEDGMENT

Commonwealth of Pennsylvania)
)
County of Butler) SS:

On this the 16th day of February 2022, before me a Notary Public, personally appeared **Robert A. Brennan**, who acknowledged himself to be the Manager of **Brennan Family Holdings, LLC**, a Pennsylvania limited liability company, the sole member of **Duffy Highlands Holdings, LLC**, a Pennsylvania limited liability company, the general partner of **Duffy Highlands, LP**, a Pennsylvania limited partnership, and that he as such Manager, and duly authorized to do so, executed the foregoing instrument for the purposes therein contained.

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

Pamela A. Fanto-Damico
Notary Public

My commission expires: *July 2, 2023*

Commonwealth of Pennsylvania - Notary Seal
Pamela A. Fanto-Damico, Notary Public
Butler County
My commission expires July 2, 2023
Commission number 1353821
Member, Pennsylvania Association of Notaries

EXHIBIT "A"

LEGAL DESCRIPTION OF PHASE II PROPERTY

ALL THOSE CERTAIN parcels of land, situate partly in the Township of Center, partly in the Township of Butler, County of Butler, Commonwealth of Pennsylvania, designated as Lot Numbers 201-220, Parcel B2, and Gleneagles Drive as shown on the Duffy Highlands, a Planned Community Phase 2 Plan for Recording, as recorded in the Office of the Recorder of Deeds of Butler County, Pennsylvania at Instrument Number 202109230027041.

EXHIBIT "B"

PHASE II

Lot Numbers 201-220, Parcel B2, and Gleneagles Drive as shown on the Duffy Highlands, a Planned Community Phase 2 Plan for Recording, as recorded in the Office of the Recorder of Deeds of Butler County, Pennsylvania at Instrument Number 202109230027041.