



JV

59620

Tax Parcel No.
24000310163000000

Ashcombe Dr.

**FOURTH AMENDMENT TO DECLARATION
FOR ASHCOMBE FARMS, R-E SECTION
A PLANNED COMMUNITY
A FLEXIBLE RESIDENTIAL PLANNED COMMUNITY**

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THIS FOURTH AMENDMENT TO DECLARATION FOR ASHCOMBE FARMS, A PLANNED COMMUNITY ("Fourth Amendment"), made this 30th day of June, 2004, by **COUNTRY SQUARE PARTNERSHIP**, a Pennsylvania general partnership, having a principal place of business at 19 North Baltimore Street, Dillsburg, York County, Pennsylvania, hereinafter called "Declarant," pursuant to provisions of Section 5211 of the Uniform Planned Community Act, 68 Pa. C.S.A §5211.

BACKGROUND

A. Declarant, pursuant to Declaration for Ashcombe Farms, a Planned Community ("Declaration"), dated June 3, 1999, recorded in the Office of the Recorder of Deeds of York County, Pennsylvania, on July 16, 1999, in Record Book 1367, Page 7018, has submitted to the provisions of the Uniform Planned Community Act, 68 Pa.C.S.A. §§5201, et seq., real estate situate in Dover Township, York County, Pennsylvania, and created with respect to said real estate a flexible residential planned community known as "Ashcombe Farms, a Planned Community."

B. Declarant, pursuant to First Amendment to Declaration for Ashcombe Farms, a Planned Community ("First Amendment"), dated August 30, 2000, recorded in the Office of the Recorder of Deeds of York County, Pennsylvania, on October 20, 2000, in Record Book 1414, Page 2635, amended, in part, the Declaration, added Additional Real Estate No. 2-A to the Planned Community and converted Additional Real Estate No. 2-A to Convertible Real Estate No. 2-A and created within Convertible Real Estate No. 2-A forty-two (42) building Lots as described in Paragraph 6 of the First Amendment.

C. Declarant, pursuant to Second Amendment to Declaration for Ashcombe Farms, a Planned Community ("Second Amendment"), dated March 12, 2002, recorded in the Office of the Recorder of Deeds of York County, Pennsylvania, on June 3, 2002, in Record Book 1498, Page 2310, amended, in part, the Declaration, by adding a portion of Additional Real Estate No. 1-A and converting Additional Real Estate No.

1-A to Convertible Real Estate No. 1-A and created within Convertible Real Estate No. 1-A eighteen (18) building Lots as described in Paragraph 5 of the Second Amendment.

D. Declarant, pursuant to Third Amendment to Declaration for Ashcombe Farms, a Planned Community ("Third Amendment"), dated March 31st, 2003, recorded in the Office of the Recorder of Deeds of York County, Pennsylvania on July 18, 2003, in Record Book 1586, Page 113, amended, in part, the Declaration, by adding Additional Real Estate No. 1-B to the Planned Community converting Additional Real Estate No. 1-B into eighteen (18) building Lots, and further by adding Additional Real Estate No. 3-A to the Planned Community and converting Additional Real Estate 3-A into forty-eight (48) building Lots, as more fully set forth in the Third Amendment.

E. Declarant, as part of the Third Amendment, also designated Lot No. 163 of the Planned Community as Withdrawable Real Estate.

F. Declarant now desires to withdraw said Withdrawable Real Estate (Lot No. 163) from the Planned Community.

NOW, THEREFORE, Declarant, in accordance with the Act, hereby declares as follows:

1. **Declaration for Ashcombe Farms, a Planned Community.** The Declaration for Ashcombe Farms, a Planned Community, dated June 3, 1999, recorded July 16, 1999, in the Office of the Recorder of Deeds of York County, Pennsylvania, in Record Book 1367, Page 7018, is incorporated herein by reference and hereinafter called "Declaration."

2. **First Amendment to Declaration for Ashcombe Farms, a Planned Community.** The First Amendment to Declaration for Ashcombe Farms, a Planned Community, dated August 30, 2000, recorded October 20, 2000, in the Office of the Recorder of Deeds of York County, Pennsylvania, in Record Book 1414, Page 2635, is incorporated herein by reference and hereinafter called "First Amendment."

3. **Second Amendment to Declaration for Ashcombe Farms, a Planned Community.** The Second Amendment to Declaration for Ashcombe Farms, a Planned Community, dated March 12, 2002, recorded June 3, 2002, in the Office of the Recorder of Deeds of York County, Pennsylvania, in Record Book 1498, Page 2310, is incorporated herein by reference and hereinafter called "Second Amendment."

4. **Third Amendment to Declaration for Ashcombe Farms, a Planned Community.** The Third Amendment to Declaration for Ashcombe Farms, a Planned Community, dated March 31, 2003, recorded July 18, 2003, in the Office of the Recorder of Deeds of York County, Pennsylvania, in Record Book 1586, Page 113, is incorporated herein by reference and hereinafter called "Third Amendment."

5. **Withdrawal of Lot No. 163.** Pursuant to Section 5219 of the Act, in compliance with Section 5212 of the Act and in accordance with Section 6.9 of the Declaration and Paragraph 9 of the Third Amendment, Declarant withdraws Lot No. 163 from the Planned Community.

6. **Exhibit A-4.** Exhibit A-4, attached to this Fourth Amendment, is the plan and legal description of said withdrawn real estate (Lot No. 163).

7. **Reallocation of Votes in Association.** The withdrawal of Lot No. 163 from the Planned Community does not result in any reallocation of votes in the Association nor in allocation of any common expense liabilities to the Lots in the Planned Community.

8. **Balance of Declaration.** All other terms and conditions of the Declaration, as amended by the First Amendment, Second Amendment and Third Amendment, shall be and remain in effect and the Declaration, as amended by the First Amendment, Second Amendment and Third Amendment, shall only be further amended as specifically provided in this Fourth Amendment.

[THIS SPACE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, Country Square Partnership, by its General Partners, adjourned to caused this Third Amendment to be executed as of the day and year first above written.

Declarant:
Country Square Partnership

Ashcombe Products Company, a Partner
R-E

By: John S. Thornton
John S. Thornton, President

Vernon E. Anderson
Vernon E. Anderson, Partner
R-E

Ronald I. Stern
Ronald I. Stern, Partner
R-E

COMMONWEALTH OF PENNSYLVANIA :
 : ss.
COUNTY OF Cumberland :

On this, the 30th day of June, 2004, before me, the undersigned officer, personally appeared **JOHN S. THORNTON**, who acknowledged himself to be the President of Ashcombe Products Company, Partner of Country Square Partnership, and that he as such President, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the Corporation by himself as President.

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

Notarial Seal
Diane Montgomery, Notary Public
Lemoyne Boro, Cumberland County
My Commission Expires Dec. 9, 2006
Member, Pennsylvania Association Of Notaries

Diane Montgomery
Notary Public

COMMONWEALTH OF PENNSYLVANIA :
 : ss.
COUNTY OF Cumberland :

On this, the 30th day of June, 2004, before me, a notary public, the undersigned officer, personally appeared **VERNON E. ANDERSON**, Partner of Country Square Partnership, known or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes therein contained.

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

Notarial Seal
Diane Montgomery, Notary Public
Lemoyne Boro, Cumberland County
My Commission Expires Dec. 9, 2006
Member, Pennsylvania Association Of Notaries

Diane Montgomery
Notary Public

COMMONWEALTH OF PENNSYLVANIA :
 : ss.
COUNTY OF Cumberland :

On this, the 30th day of June, 2004, before me, a notary public, the undersigned officer, personally appeared **RONALD I. STERN**, Partner of Country Square Partnership, known or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes therein contained.

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

Notarial Seal
Diane Montgomery, Notary Public
Lemoyne Boro, Cumberland County
My Commission Expires Dec. 9, 2006
Member, Pennsylvania Association Of Notaries

Diane Montgomery
Notary Public

COMMONWEALTH OF PENNSYLVANIA :
: ss.
COUNTY OF YORK :

Recorded in the office for the recording of Deeds in and for York County, Pennsylvania in Record Book _____, Page _____.

Witness by hand and seal of said office this _____ day of _____, 2004.

_____, Recorder

Return to: Robert M. Walker, Esquire
Johnson, Duffie, Stewart & Weidner
P.O. Box 109
Lemoyne, PA 17043-0109

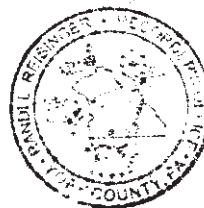
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RECORDER OF DEEDS
YORK COUNTY
PENNSYLVANIA
INSTRUMENT NUMBER
2004059620
RECORDED ON
JUL 09 2004
9:24:03 AM
STATE WRIT TAX \$0.50
RECORDING FEES \$26.00
PIN NUMBER FEES \$2.00
COUNTY ARCHIVES FEE \$2.00
R00 ARCHIVES FEE \$3.00
TOTAL \$33.50
IHW: 472498 USER: JFA
6 CUSTOMER
ALEXIS

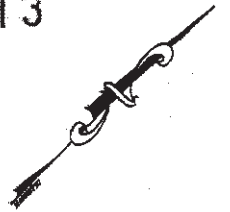
EXHIBIT A-3

PLAN AND LEGAL DESCRIPTION OF WITHDRAWN REAL ESTATE (LOT NO. 163)

I Certify This Document To Be
Recorded In York County, Pa.



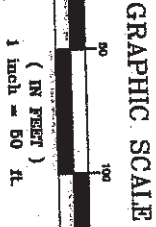
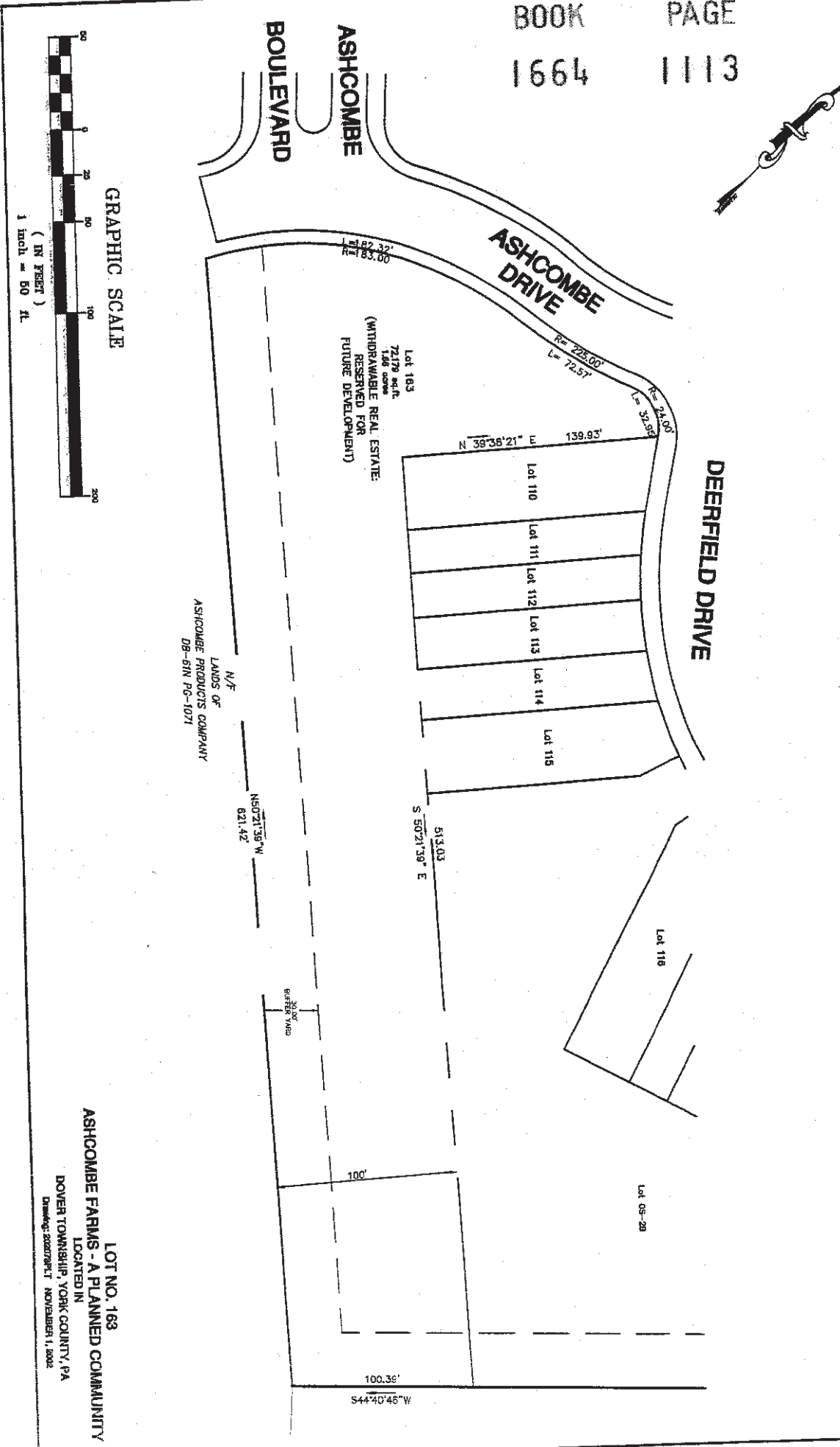
Richard L. Reisinger
Recorder of Deeds



LEGEND

	PROPERTY LINE/RIGHT-OF-WAY
	EASEMENT LINE
	BUILDING SETBACK LINE

R. J. FISHER & ASSOCIATES, INC.
 1216 SANDOZ AVENUE, SUITE 200, WILMINGTON, DE 19801
 (302) 774-8844 FAX (302) 774-7100
HORIZONTAL LOT BOUNDARIES
 IDENTIFYING NUMBER: LOT NO. 163



LOT NO. 163
ASHCOMBE FARMS - A PLANNED COMMUNITY
 LOCATED IN
 DOVER TOWNSHIP, YORK COUNTY, PA
 Drawing 2007/28/11 NOVEMBER 1, 2002

**ASHCOMBE FARMS
LOT 163
(WITHDRAWABLE REAL ESTATE)**

All that certain parcel of land situate in the Township of Dover, York County, Pennsylvania; more particularly bounded and described as follows:

BEGINNING at a point on the western right-of-way line of Deerfield Drive, said point being the northeastern corner of Lot #110; thence along Lot #110 S 39°38'21" W by a distance of 139.93' to a point; thence along Lots # 110-115 and OS-2B S 50°21'39" E by a distance of 513.03' to a point; thence along the lands now or formally of Scott Hess S 44°40'46" W by a distance of 100.39' to a point; thence along the lands now or formally of Ashcombe Products Company N 50°21'39" W by a distance of 621.43' to a point; thence along the southern right-of-way line of Ashcombe Drive by a curve to the right with a chord N 55°32'31" E by a distance of 174.87' and having a radius of 183.00' and an arc length of 182.32' to a point; thence along the same by a curve to the left with a chord N 74°50'38" E by a distance of 72.25' and having a radius of 225.00' and an arc length of 72.57' to a point; thence along the same by a curve to the right with a chord S 75°04'12" E by a distance of 30.42' and having a radius of 24.00' and an arc length of 32.95' to a point, the place of BEGINNING.

Containing: 72,179 sq. ft. (1.66 acres)

Being: Lot No. 163 of Ashcombe Farms as shown on a Final Subdivision Plan for Phase 4 of Ashcombe Farms, prepared by R.J. Fisher and Associates, Inc. originally dated September 10, 2002 and last revised January 16, 2003.