

430100319DLRV

Control Number

WIID Number

2003010-000152

Instrument Type

DLR



WESTCHESTER COUNTY RECORDING AND ENDORSEMENT PAGE (THIS PAGE FORMS PART OF THE INSTRUMENT) *** DO NOT REMOVE ***

THE FOLLOWING INSTRUMENT WAS ENDORSED FOR THE RECORD AS FOLLOWS:

TYPE OF INSTRUMENT <u>DLR - DECLARATION</u>
FEE PAGES 3 TOTAL PAGES 3

DECODDING FEES

RECORDING FEES		
STATUTORY CHARGE	\$6.00	
RECORDING CHARGE	\$9.00	
RECORD MGT. FUND	\$19.00	
RP 5217	\$0.00	
TP-584	\$0.00	
CROSS REFERENCE	\$0.50	
MISCELLANEOUS	\$0.00	
TOTAL FEES PAID	\$34.50	

TRANSFER TAXES

CONSIDERATION	\$0.00
TAX PAID TRANSFER TAX #	\$0.00

RECORDING DATE TIME 01/16/2003 10:51:00 MORTGAGE TAXES

MORTGAGE DATE	
MORTGAGE AMOUNT	\$0.00
EXEMPT	
YONKERS	\$0.00
BASIC	\$0.00
ADDITIONAL	\$0.00
SUBTOTAL	\$0.00
MTA	\$0.00
SPECIAL	\$0.00
TOTAL PAID	\$0.00

SERIAL NUMBER DWELLING

THE PROPERTY IS SITUATED IN WESTCHESTER COUNTY, NEW YORK IN THE: TOWN OF MT. PLEASANT

WITNESS MY HAND AND OFFICIAL SEAL

LEONARD N. SPANO

WESTCHESTER COUNTY CLERK

Record & Return to:

SHAMBERG MARWELL HOCHERMAN

DAVIS & HOLLIS PC

55 SMITH AVE

MT KISCO, NY 10549

T/O MT. PLEMENT

SECOND AMENDMENT TO DECLARATION OF FOXWOOD CONDOMINIUM II

SECOND AMENDMENT TO DECLARATION made as of this 25 day of November. 2002 by FOXWOOD CONDOMINIUM II, a condominium association organized and existing pursuant to Article 9(b) of the Real Property Law of the State of New York, and having its principal place of business at 9-9 Foxwood Drive, Pleasantville, in the County of Westchester, State of New York.

WITNESSETH:

WHEREAS, a meeting of the Unit Owners of Foxwood Condominium II was properly held on the 12th day of November, 2002; and

WHEREAS, by the affirmative vote of more than 66 3/3% in number and in common interest of all unit owners of Foxwood Condominium II, certain resolutions were adopted to amend certain provisions of the Declaration of Foxwood Condominium II dated December 23, 1977 and recorded in the Office of the Clerk of the County of Westchester in Liber 7446, Page 33 (the "Declaration").

NOW, THEREFORE, the parties hereto amend the provisions of the Declaration as set forth herein.

Section 7 of the By-Laws annexed thereto:

The Declaration is amended by adding the following to the end of Article III.

Provided, however, that any corporation, partnership or fiduciary taking title shall immediately designate an occupant of the unit who shall be deemed the "Unit Owner" for purposes of the leasing restrictions contained in Article VIII hereof. Any subsequent occupant shall be deemed a tenant, and such tenancy shall be subject to the leasing restrictions contained in Article VIII hereof.

The Declaration is amended by adding the following Section 1A to Article VIII of 2. the By-Laws annexed thereto:

> No unit owner may lease a unit until such time as the unit owner has occupied the unit for a minimum of two years. Upon the vacancy of the unit by the unit owner, the unit may be leased once, subject to the provisions of these By-Laws, for a period of time not to exceed two consecutive years. After the vacancy of the unit by the tenant, the unit shall no longer be leased by such unit owner or otherwise occupied by anyone other than (i) the unit owner and (ii)

members of the unit owner's immediate family or a domestic partner, provided the unit owner also occupies the unit.

In the event the unit is occupied by members of the unit owner's family and not by the unit owner, such occupancy shall be deemed a tenancy which shall be subject to the limitations of the above provisions.

The Board of Managers may impose reasonable fees upon the leasing of any unit.

The restrictions of this Section 1A shall not apply to units purchased by the Board of Managers.

The foregoing restrictions shall be applicable only to those unit owners purchasing units after the date of this Amendment.

IN WITNESS WHEREOF, the parties hereto have each executed this Second Amendment as of the date first above written.

FOXWOOD CONDOMINIUM II

Chad Kraus, President

STATE OF NEW YORK

} s.s.:

COUNTY OF WESTCHESTER

On November 25, 2002 before me, the undersigned, a Notary Public in and for said State, personally appeared Chad Kraus, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument

Novary Public

Y:\WPDOCS\02851\002\DOCUMNTS\AMEND-SECOND.II.wpd

Record and Return to:

SHAMBERG MARWELL HOCHERMAN
DAVIS & HOLLIS, P.C.

55 SMITH AVENUE

Attn: Catherne B. Andrewe

Jo-Ann K. Edson Notary Public, State of New York No. 01ED6034370 Qualified in Westchester County Commission Expires December 6, 2006

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