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**SECOND SUPPLEMENTAL DECLARATION OF RESTRICTIONS  
AND PROTECTIVE COVENANTS, FORGEDALE CROSSING**  
**PHASES FOUR AND FIVE, SOUTH MIDDLETON TOWNSHIP,**  
**CUMBERLAND COUNTY, PENNSYLVANIA**

DEPT P. EIDGLER  
REC'D OF DEEDS  
CUMBERLAND COUNTY - PA

THIS AMENDMENT is made this 6<sup>th</sup> day of March, 2006 by Declarant, S & A

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Custom Built Homes, Inc., having an address of 2121 Old Gatesburg Road, Suite 200,  
State College, PA 16803.

WHEREAS, by Declaration of Restrictions and Protective Covenants, dated July 21, 1992 and recorded August 4, 1992 in the Office of the Recorder of Deeds in and for Cumberland County, Pennsylvania, in Record Book 424 at Page 252, Forgedale Associates subjected Phase I of the Forgedale Crossing development in South Middleton Township to certain restrictions and protective covenants; and

WHEREAS, pursuant to Article V, Section B of the said Declaration of Restrictions and Protective Covenants, Developer provided that subsequent phases of Forgedale Crossing can be added to the aforementioned Declaration of Restrictions and Protective Covenants by amendment drafted by the Declarant, Developer or successor-in-interest; and

WHEREAS, by First Supplemental Declaration, S & A Custom Built Homes, Inc., converted Section 3 of Forgedale Crossing as recorded April 3, 2003 in Miscellaneous Record Book 696 at Page 1, to the said Declaration of Restrictions and Protective Covenants; and

WHEREAS, by deed reference, Phases 2A and 2B were converted and made subject to the aforementioned Declaration of Restrictions and Protected Covenants per outsale deeds from John E. Anderson, Pauline E. Anderson, Robert A. Thomas and Deborah J. Thomas and/or S & A Custom Built Homes, Inc.; and

WHEREAS, S & A Custom Built Homes, Inc. is the owner of Lot No. 82 per deed from John E. Anderson and Pauline E. Anderson and Robert A. Thomas and Deborah J. Thomas to S & A Custom Built Homes, dated April 1, 2003 and recorded April 2, 2003 in Record Book 256 at Page 1728; and

WHEREAS, S & A Custom Built Homes, Inc. has obtained Final Subdivision Approval for Phase 4 of Forgedale Crossing, which is part of the aforementioned Lot No. 82, said subdivision plan being recorded in Plan Book 89 at Page 34; and

WHEREAS, S & A Custom Built Homes, Inc. is the owner of Lot No. 2 per deed from John E. Anderson and Pauline E. Anderson to S & A Custom Built Homes, Inc., dated April 1, 2003 and recorded April 2, 2003 in Record Book 256 at Page 1723; and

WHEREAS, S & A Custom Built Homes, Inc. has obtained Final Subdivision Approval for Phase 5 of Forgedale Crossing, which is part of both the aforementioned Lot No. 82 and Lot No. 2, said subdivision plan being recorded in Plan Book 91 at Page 39; and

WHEREAS, by deed reference, S & A Custom Built Homes, Inc., has individually subjected each lot sold in Phase 4 and 5 to the aforementioned Declaration of Restrictions and Protective Covenants; and

WHEREAS, S & A Custom Built Homes now desires to formally subject Phase 4 and 5 of Forgedale Crossing to the aforementioned Declaration of Restrictions and Protective Covenants by Amendment.

NOW THEREFORE, pursuant to Article V, Section B of the Declaration of Restrictions and Protective Covenants dated July 21, 1992 and recorded August 4, 1992 in Record Book 424 at Page 252, as amended, Declarant, S & A Custom Built Homes, Inc., declares as follows:

1. That the area of land known as **Forgedale Crossing, Phase 4**, as set forth in Exhibit "A" attached hereto, is converted and will hereinafter

become a part of the Forgedale Crossing development and subject to the aforementioned Declaration of Restrictions and Protective Covenants, as well as the First Supplemental Declaration.

2. That the area of land known as **Forgedale Crossing, Phase 5**, as set forth in Exhibit "B" attached hereto, is converted and will hereinafter become a part of the Forgedale Crossing development and subject to the aforementioned Declaration of Restrictions and Protective Covenants, as well as the First Supplemental Declaration.
3. All other terms and conditions of the aforementioned Declaration of Restrictions and Protective Covenants, as well as the First Supplemental Declaration of Restrictions and Protective Covenants dated March 26, 2003 and recorded April 3, 2003 in Miscellaneous Record Book 696 at Page 1, are reaffirmed by the Amendment and shall remain in full force and effect.

IN WITNESS WHEREOF, S & A Custom Built Homes, Inc., has caused this document to be executed the day and year referenced above.

WITNESS

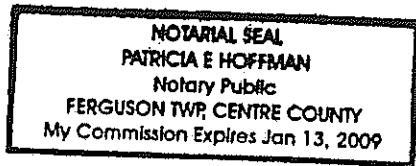
DECLARANT  
S & A CUSTOM BUILT HOMES, INC

Kathy Charelli

By: David L. Pepper CFO  
David L. Pepper, Chief Financial Officer

COMMONWEALTH OF PENNSYLVANIA :  
: ss.  
COUNTY OF CENTRE :

On this, the 6<sup>th</sup> day of March, 2006, before me, the undersigned officer, personally appeared David L. Pepper who acknowledged himself to be the Chief Financial Officer of S & A Custom Built Homes, Inc., a corporation, and that he as such Chief Financial Officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as Chief Financial Officer.



Patricia E. Hoffman  
Notary Public  
My commission expires:

EXHIBIT "A"

PHASE 4

ALL that certain tract of land situate in South Middleton Township, Cumberland County, Pa, being Section 4, as shown on a Plan entitled, "Forgedale Crossing, Residential Development, Final Subdivision Plan, Section 4, Final Plan, Section 4", dated August 25, 2003, by PennTerra Engineering, Inc., State College, PA, being bounded and described as follows:

**BEGINNING** at an iron pin, being an easterly corner of Forgedale Drive (50'RW) and a westerly corner of an existing 20' wide Storm Drainage Easement; thence along said easement and along lands owned now or formerly by Patrick H. & Mara E. Dolan, (Tax Parcel 10-636-162, DB 201, Pg. 1015), South 64 degrees 00 minutes 18 seconds East, 138.18 feet to an iron pin, being a southerly corner of said lands and a westerly corner of lands owned now or formerly by Patrick S. & Grace Anders (Tax Parcel 10-636-161, DB 143, Pg. 1037); thence along said lands, lands owned now or formerly by Thomas D. & Anna B. Scott, (Tax Parcel 10-636-160, DB 161, Pg. 305), lands owned now or formerly by Ray M. & Susan K. Sheaffer, (Tax Parcel 10-636-159, DB 160, Pg. 220), lands owned now or formerly by George M. & Margaret L. Johnson, (Tax Parcel 10-636-158, DB 111, Pg. 963), and along lands owned now or formerly by John D. Wallace, (Tax Parcel 10-636-157, DB S-36, Pg. 255), South 74 degrees 52 minutes 37 seconds East, 484.13 feet to an iron pin, lying in a southerly line of said Wallace lands and being a westerly corner of Lot No. 82 (Residue); thence along said lot, the following bearings and distances: South 15 degrees 07 minutes 23 seconds West, 225.000 feet to an iron pin; thence North 74 degrees 52 minutes 37 seconds West, 171.86 feet to an iron pin; thence South 15 degrees 07 minutes 23 seconds West, 125.00 feet to an iron pin; thence South 25 degrees 59 minutes 42 seconds West, 118.87 feet to an iron pin; thence North 64 degrees 00 minutes 18 seconds West, 210.85 feet to an iron pin; thence North 25 degrees 59 minutes 42 seconds East, 54.81 feet to an iron pin; thence North 64 degrees 00 minutes 18 seconds West, 300.00 feet to an iron pin, being a northerly corner of said lot and lying in an easterly RW line of Forgedale Crossing (50'RW); thence along said RW, the following bearings and distances: North 25 degrees 59 minutes 42 seconds East, 141.67 feet to an iron pin; thence along a curve to the right, having a chord bearing of North 70 degrees 59 minutes 42 seconds East, a chord distance of 21.21 feet, a radius of 15.00 feet and an arc length of 23.56 feet to an iron pin; thence North 25 degrees 59 minutes 42 seconds East, 50.00 feet to an iron pin; thence along a curve to the right, having a chord bearing of North 19 degrees 00 minutes 18 seconds West, a chord distance of 21.21 feet, a radius of 15.00 feet and an arc length of 23.56 feet to an iron pin; thence North 25 degrees 59 minutes 42 seconds East, 158.99 feet to an iron pin, being the place of beginning, containing 5.261 acres.

EXHIBIT "B"

PHASE 5

ALL that certain tract of land situate in South Middleton Township, Cumberland County, PA, being Section 5, as shown on a Plan entitled, "Forgedale Crossing, Residential Development; Final Subdivision Plan, Section 5; Final Subdivision Plan, Section 5," dated July 23, 2004 by PennTerra Engineering, Inc., State College, PA, being bounded and described as follows:

**BEGINNING** at an iron pin, being an easterly corner of lands owned now or formerly by Robert E. and Dorothy L. Myers (Tax Parcel 10-636-154, D.B. I-36, pg. 463) and lying in a westerly R/W line of Forge Road (S.R. 2003); thence along said R/W South 28 degrees 53 minutes 50 seconds East, 887.72 feet to an iron pin; thence continuing along said R/W the following 3 bearings and distances: along a curve to the right, having a chord bearing of South 28 degrees 25 minutes 13 seconds East, a chord length of 47.34 feet, a radius of 2834.70 feet and an arc length of 47.35 feet to an iron pin; thence South 62 degrees 03 minutes 35 seconds West, 10.00 feet to an iron pin; thence along a curve to the right, having a chord bearing of South 26 degrees 08 minutes 41 seconds East, a chord length of 177.01 feet, a radius of 2824.70 feet and an arc length of 177.04 feet to an iron pin, lying in a westerly line of said R/W and being a northerly corner of lands owned now or formerly by Donald L. and Cathy A. Baker (Lot No. 9, D.B. 222, pg. 110); thence along the Baker lands the following 3 bearings and distances: South 67 degrees 59 minutes 40 seconds West, 150.53 feet to an iron pin; thence South 25 degrees 25 minutes 50 seconds East, 57.35 feet to an iron pin; thence South 22 degrees 03 minutes 00 seconds East, 42.98 feet to an iron pin, being a southerly corner of said lands, a westerly corner of lands owned now or formerly by Flordella V. Foote (Lot No. 8, D.B. 193, pg. 553) and a northerly corner of Lot 82R (Residue), lands owned now or formerly by S&A Custom Built Homes, Inc. ((Tax Parcel 10-636-9B, D.B. 30L, pg. 387); thence along Lot 82R (Residue) the following 17 bearings and distances: South 80 degrees 12 minutes 42 seconds West, 432.26 feet to an iron pin; thence North 24 degrees 41 minutes 32 seconds West, 199.88 feet to an iron pin; thence along a curve to the right, having a chord bearing of North 65 degrees 55 minutes 25 seconds East, a chord length of 30.26 feet, a radius of 525.00 feet and an arc length of 30.26 feet to an iron pin; thence North 03 degrees 47 minutes 06 seconds West, 151.24 feet to an iron pin; thence South 66 degrees 48 minutes 10 seconds West, 139.95 feet to an iron pin; thence South 30 degrees 15 minutes 03 seconds East, 147.68 feet to an iron pin; thence along a curve to the left, having a chord bearing of South 58 degrees 26 minutes 51 seconds West, a chord length of 23.85 feet, a radius of 525.00 feet and an arc length of 23.85 feet to an iron pin; thence North 31 degrees 45 minutes 45 seconds West, 247.68 feet to an iron pin; thence North 21 degrees 18 minutes 11 seconds West, 172.32 feet to an iron pin; thence South 83 degrees 30 minutes 41 seconds West, 151.33 feet to an iron pin; thence along a curve to the right, having a chord bearing of North 06 degrees 29 minutes 19 seconds West, a chord length of 30.00 feet, a radius of 550.00 feet and an arc length of 30.00 feet to an iron pin; thence North 83 degrees 30 minutes 41 seconds East, 297.72 feet to an iron pin; thence North 27 degrees 03 minutes 06 seconds West, 126.77 feet to an iron pin; thence North 52 degrees 36 minutes 00 seconds West, 80.44 feet to an iron pin; thence North 74 degrees 52 minutes 37 seconds West, 200.56 feet to an iron pin; thence North 15 degrees 07 minutes 23 seconds East, 15.00 feet to an iron pin; thence North 74 degrees 52 minutes 36 seconds West, 150.99 feet to an iron pin, being a northerly corner of Lot

82R (Residue) and lying in an easterly line of Lot No. 89; thence along Lot No. 89 North 15 degrees 07 minutes 23 seconds East, 125.00 feet to an iron pin, being an easterly corner of said lot and lying in a southerly RW line of Coventry Drive (50' R/W); thence along said RW South 74 degrees 52 minutes 39 seconds East, 171.86 feet to an iron pin; thence traversing through said RW and along Lot No. 88 North 15 degrees 07 minutes 23 seconds East, 225.00 feet to an iron pin, being an easterly corner of Lot No. 88 and lying in a southerly line of lands owned now or formerly of John D. Wallace ((Tax Parcel 10-636-157, D.B. S-36, pg. 255); thence along the Wallace lands South 74 degrees 52 minutes 37 seconds East, 15.87 feet to an iron pin, being a southerly corner of said lands and a southerly corner of lands owned now or formerly by Charles D. and Patricia C. Zitzman (Tax Parcel 10-636-156, D.B. 116, pg. 1155); thence along the Zitzman lands South 83 degrees 57 minutes 32 seconds East, 141.15 feet to an iron pin, being a southerly corner of said lands and a southerly corner of lands owned now or formerly by James R. Lee (Tax Parcel 10-636-155, D.B. 169, pg. 97); thence along the Lee lands North 73 degrees 34 minutes 01 second East, 152.34 feet to an iron pin, being an easterly corner of said lands and a southerly corner of the Myers lands; thence along the Myers lands North 61 degrees 03 minutes 21 seconds East, 106.75 feet to an iron pin, being the place of beginning, containing 15.671 acres.

to be recorded  
in Cumberland County PA



Recorder of Deeds