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KNO. 172 de.P. 212/16/05 Book 4604/ Pages 358-386

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR DECATUR FARM HOMEOWNERS ASSOCIATION. INC.

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR DECATUR FARM HOMEOWNERS ASSOCIATION, INC. ("Amendment") is made on this 200 day of 10000000, 2005, by CENTEX HOMES, a Nevada general partnership (the "Declarant").

RECITALS:

- A. Declarant recorded a certain Declaration of Covenants, Conditions, Easements and Restrictions for Decatur Farm Homeowners Association, Inc. among the Land Records of Worcester County, Maryland (the "Land Records") in Book 4317 at page 477 et seq. (hereinafter referred to as the "Declaration").
- B. Section 16.8 of the Declaration provides, in pertinent part, that the Declaration may be amended by an instrument signed by not less than sixty-seven percent (67%) of the total votes of the Members.
- C. Declarant holds greater than sixty-seven percent (67%) of the total votes of the Members and desires to amend the Declaration as provided herein.

NOW, THEREFORE, in consideration of the foregoing recitals, each of which are incorporated in and made a substantive part of this Amendment, the Declaration is hereby amended as follows:

1. The following is hereby added to Section 5.3:

Each grantee of a Lot who is conveyed such Lot subsequent to the initial non-Declarant Grantee of such Lot shall pay at settlement a one-time assessment to the Association of up to Three Hundred Dollars (\$300.00) to fund the Association's working capital fund for the initial and ongoing operation of the Association.

- 2. In the event of any conflict between this Amendment and the Declaration, the terms and provisions of this Amendment shall control. Except as otherwise provided in this Amendment, the remaining terms and provisions of the Declaration shall not be affected and shall remain in full force and effect.
- 3. In the event any term or provision of this Amendment is invalid or unenforceable for any reason the remaining terms and provisions hereof shall remain in full force and effect.
- 4. Capitalized terms used herein shall be defined as set forth in the Declaration, unless otherwise provided herein.

5. This Ameridment shall be construed and enforced in accordance with the laws of the State of Maryland, and shall become effective upon recordation among the Land Records.

IN WITNESS WHEREOF, the undersigned, being the DECLARANT herein, has executed this instrument this 2nd day of Mountain, 2005.

ATTEST:

army Bayd fack

DECLARANT:

CENTEX HOMES, a Nevada general partnership

By: CENTEX REAL ESTATE
CORPORATION,
a Nevada corporation,
its managing general partner

Bv:

Robert K. Davis, Division President

STATE OF Virginia COUNTY OF Fairfax

to wit:

I HEREBY CERTIFY that on this <u>Old</u> day of <u>Novoyce</u>, 2005, before me, a Notary Public in and for the State and County aforesaid, personally appeared Robert K. Davis, known to me (or satisfactorily proven) to be the Division President of Centex Real Estate Corporation, a Nevada Corporation, managing general partner of Centex Homes, a Nevada general partnership, and that such person, being authorized to do so, executed the foregoing and annexed instrument on behalf of such corporation for the purposes therein contained.

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

My Commission Expires: March 31, 2009

[NOTARIAL SEAL]

ATTORNEY'S CERTIFICATION

I HEREBY CERTIFY that the foregoing document was prepared by or under the supervision of the undersigned, an attorney duly licensed to practice before the Court of Appeals of Maryland.

Marc DeCandia

L&B 529149v2/08936.0060

Circuit Court for WORCESTER COUNTY Clerk of the Court, STEPHEN V. HALES P.O. BOX 48 SNOW HILL, MD 21863-

Tourhomes at G-Confidde

Transaction Block: 1

2861 368

Book: 4604 Page: 363 Ref: CENTEXHOME

DECLARATION
IMP FD SURE \$6

AMOUNT 20.00

RECORUING FEE

75.40

SULTOTAL:

95.00

Transaction Blocks
Books 4684 Pages

1686 383

Ref: CENTEXHONE

ANENDMENT

AMQUNT

IMP FD SURE 46 RECORDING FEE

20.00 28.00

SUBTOTAL:

46.00

TOTAL CHARGES:

135.00

PAYMENTS

CHECK

135,40

TOTAL TENDERED:

135.00

Cashier: 5347 Reg # W001 Rcpt # 46945 Date: Dec 16, 2005 Time: 03:35 pm