

Tax Parcel Nos.: 10-033.30-377 through 406; 10-033.30-289 through 339; 10-033.30-412 through 452; 10-033.30-435; 10-033.30-454 through 466; 10-033.30-047; 10-033.30-468 through 476; 10-033.30-407 through 411; 10-033.30-499 through 521; 10-033.30-523 through 571; 10-033.30-477; 10-033.30-522; and 0-033.30-572

This Instrument Prepared by and to be  
Returned to: Richard P. Beck, Esquire  
Morris, James, Hitchens & Williams  
222 Delaware Avenue, P. O. Box 2306  
Wilmington, Delaware 19899

SECOND AMENDMENT TO  
NEWTOWN VILLAGE  
DECLARATION OF RESTRICTIONS

On this 9th day of June, 1994, NEWTOWNE ROAD DEVELOPMENT COMPANY, a Delaware corporation, as Declarant of the Newtown Village Declaration of Restrictions dated April 9, 1990, and recorded in Deed Book 1017, Page 318 et. seq. (the "Declaration") in the Office of the Recorder of Deeds in and for New Castle County, Delaware, which were subsequently amended by First Amendment to Newtown Village Declaration of Restrictions dated October 16, 1992, recorded in the Office aforesaid in Deed Book 1419, Page 0272, et. seq., hereby expands Newtown Village as permitted by Paragraph 29 of such Declaration to include the additional real property, with improvements now and hereafter to be constructed thereon, known as Newtown Village Section III, as more particularly shown on the Record Major Subdivision Plan for Newtown Village, Section III, as filed in the Office of the Recorder of Deeds in and for New Castle County, Delaware, in Microfilm No. 11796; subject, however, to the right of a majority of owners of Lots in Newtown Village, Section I, as shown on Microfilm No. 9855 in the aforesaid Office, which right is hereby expressly reserved,

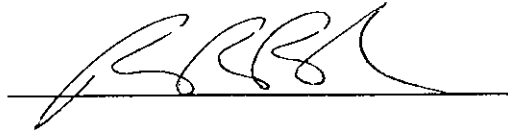
to amend the Declaration as to said Section I with the consent and approval of Declarant as regards fence heights, rear outbuildings and rear porches; subject, further, to the right of a majority of owners of Lots in the Village at Newtowne (i.e., Newtown Village Section II), which right is hereby expressly reserved, to amend the Declaration as to said Village at Newtowne in the same manner and with the same effect as it has been amended (if at all) with respect to Newtown Village, Section I; and subject further to the right of Declarant, which is hereby expressly reserved, to further expand Newtown Village hereafter from time to time and at any time to include additional contiguous parcels of real property as permitted by said Paragraph 29 of the Declaration, which additional real property may include, but shall not necessarily be limited to, some or all of the adjoining lands shown on the final Record Major Subdivision Plan for Newtown Village Section III, as heretofore or hereafter recorded in the aforesaid Office of the Recorder of Deeds.

In Witness Whereof, Declarant by its duly authorized officers has executed, attested, sealed and acknowledged this First Amendment as a covenant running with the land, intending for itself and its successors, assigns and grantees to be legally bound hereby as a sealed instrument under Delaware law; and has attached hereto as Exhibit "B" for convenience a revised first page to the aforesaid Declaration, referencing the record plans for Sections II

and III, and renaming the Declaration as follows: "Newtown Village Restated Declaration of Restrictions."

WITNESS:

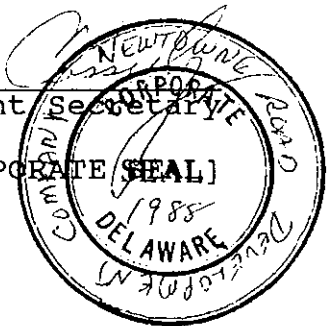
NEWTOWNE ROAD DEVELOPMENT COMPANY



By: Jay N. Sonecha  
President

Attest: Muri E. C.  
Assistant Secretary

[CORPORATE SEAL]



STATE OF DELAWARE )  
: SS.  
NEW CASTLE COUNTY )

BE IT REMEMBERED, that on this 9th day of June, 1994, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, JAY N. SONECHA, President of NEWTOWNE ROAD DEVELOPMENT COMPANY, a Delaware corporation, party to this Indenture, personally known to me to be such, and acknowledged this Indenture to be his act and deed and the act and deed of said corporation, that the signature of the Vice President thereto is in his own proper handwriting and the seal affixed is the common and corporate seal of said corporation, and that his act of sealing, executing, acknowledging and delivering said Indenture was duly authorized by a resolution of the Board of Directors of said corporation.

GIVEN under my Hand and Seal of Office, the day and year aforesaid.

  
Notary Public ATTORNEY-AT-LAW  
Print Name: RICHARD P. BECK  
My Commission Expires: ONGOING

Tax Parcel Nos.: 10-033.30-377 through 406; 10-033.30-289 through 339; 10-033.30-412 through 452; 10-033.30-435; 10-033.30-454 through 466; 10-033.30-047; 10-033.30-468 through 476; 10-033.30-407 through 411; 10-033.30-499 through 521; 10-033.30-523 through 571; 10-033.30-477; 10-033.30-522; and 0-033.30-572

This Instrument Prepared by and to be  
Returned to: Richard P. Beck, Esquire  
Morris, James, Hitchens & Williams  
222 Delaware Avenue, P. O. Box 2306  
Wilmington, Delaware 19899

NEWTOWN VILLAGE RESTATED DECLARATION OF RESTRICTIONS

By this Restated Declaration of Restrictions dated June 9, 1994, NEWTOWNE ROAD DEVELOPMENT COMPANY, a Delaware corporation ("Declarant"), as holder of record title, now or formerly, to Lots 1 through and including 220 (the "Lots") and all streets, drainage areas and open spaces shown variously on (i) a Major Record Subdivision Plan of Newtown Village recorded in the Office of the Recorder of Deeds in and for New Castle County in Microfilm No. 9855, and (ii) a Major Record Subdivision Plan of Newtown Village, Section II, recorded in said Office in Microfilm No. 11180; and (iii) a Major Record Subdivision Plan for Newtown Village, Section III, recorded in said Office in Microfilm No. 11796 (collectively the "Plan"), hereby covenants and declares for itself and its successors, assigns, grantees and all subsequent Lot owners ("Owners"), legal or equitable, that Declarant does and henceforth shall stand seized of the Lots, open spaces and streets of Newtown Village (inclusive of Sections I, II and III as shown on the Plan), until such time, if ever, as the same in whole or in part are dedicated to and accepted by any County or State department or agency, under and subject to the following reservations, restrictions, covenants, easements and limitations.

ATTORNEY: R. Beck

RECORDER'S RECEIPT

MORRIS, JAMES, HITCHENS & WILLIAMS  
222 Delaware Avenue  
Post Office Box 2306  
Wilmington, Delaware 19899  
Telephone 302-888-6800  
Telecopier 302-571-1750

SECOND AMENDMENT TO NEWTOWN VILLAGE DECLARATION OF RESTRICTIONS

Newtowne Road Development Company

Dated: June 9, 1994

Parcel No. Tax Parcel Nos.: 10-033.30-377 through 406;  
10-033.30-289 through 339; 10-033.30-412 through  
452; 10-033.30-435; 10-033.30-454 through 466;  
10-033.30-047; 10-033.30-468 through 476;  
10-033.30-407 through 411; 10-033.30-499 through  
521; 10-033.30-523 through 571; 10-033.30-477;  
10-033.30-522; and 0-033.30-572

Property Address: Newtown Village, New Castle County, Delaware

RECEIVED for recording in the Office of the Recorder of Deeds in  
and for New Castle County, Delaware, this \_\_\_\_\_ day of  
\_\_\_\_\_, 1993, at \_\_\_\_\_ .m.

Recorder

000000  
JUN 11 1994

94 JUN 27 P 4:43.5