

COUNTY CLERK'S OFFICE RECORDING PAGE *

Patricia L. McCarthy - County Clerk
Carolee A. Conklin - Deputy County Clerk

TR NO 89220135200
BOOK 7701 PAGE 64
REEL FR
NO. PAGES 4
08/08/89 13:52:00
AT
MONROE COUNTY CLERK

MORTGAGE TAX

Serial # _____

City/Town \$ _____

S.M.A. \$ _____

Trans. Auth. \$ _____

Total \$ _____

PAID AT RECORDING

TRANSFER TAX

Transfer Tax # _____

Amount \$ _____

RECORDED
1989 AUG -8 P 1:52
MONROE CO.
CLERK'S OFFICE

PAID AT RECORDING

RETURNED TO:

Box 77
BLT

STATE OF NEW YORK
MONROE COUNTY, SS.

RECORDED ON 08/08/89
TIME 13:52:00
BOOK 7701 PAGE 64
REEL FR
OF

DEED
AND EXAMINED
PATRICIA L. MCCARTHY
MONROE COUNTY CLERK

* THIS RECORDING PAGE IS PART OF A LEGALLY RECORDED INSTRUMENT. PLEASE DO NOT REMOVE FROM DOCUMENT.

I

SUPPLEMENTAL DECLARATION OF
PROTECTIVE COVENANTS, CONDI-
TIONS, RESTRICTIONS, EASEMENTS,
CHARGES AND LIENS

Box 7-7

THOMAS CREEK HOMEOWNERS ASSOCIATION, INC.

THOMAS CREEK TOWNHOUSES
PHASES I AND II
MONROE COUNTY, PERINTON, NEW YORK

THIS SUPPLEMENTAL DECLARATION, made this 3rd day of August, 1989, by the undersigned with a common mailing address in COLONIAL HEIGHTS DEVELOPMENT, INC., 5692 Pittsford-Palmyra Road, Pittsford, New York 14534.

WHEREAS, COLONIAL HEIGHTS DEVELOPMENT, INC., is the Sponsor of THOMAS CREEK HOMEOWNERS ASSOCIATION, INC. as established by a Declaration of Protective Covenants, Conditions, Restrictions, Easements, Charges and Liens dated August 6, 1987, and recorded in the Monroe County Clerk's Office in Liber 7167 of Deeds, at page 29, on August 7, 1987, hereinafter referred to as the "Declaration", and

WHEREAS, the Declaration declared that certain real property described therein was subject to a uniform plan of protective covenants, conditions, restrictions, easements, charges and liens, and

✓ WHEREAS, the Sponsor, pursuant to Article 2, Section 2.02 of the Declaration, desires to declare certain additional real property, as is particularly described in Schedule A attached hereto and made a part hereof, to be subject to the

uniform plan of protective covenants, conditions, restrictions, easements, charges and liens, and

WHEREAS, pursuant to Article 13, Section 13.04, the Declaration may be amended with the consent of two-thirds (2/3) of the lots subject to the Declaration, and

WHEREAS, Sponsor owns 22 of the forty-six (46) lots in Phase I and all of the lots in Phase II,

NOW, THEREFORE, the Sponsor, for itself, its successors and assigns, declares that the real property described in Schedule A attached hereto and made a part hereof, is and shall be held, transferred, sold, conveyed and occupied subject to the covenants, conditions, restrictions, easements, charges and liens contained in the Declaration as amended. Said covenants, conditions, restrictions, easements, charges, and liens shall run with the real property, shall be binding on all parties having any right, title or interest in the described properties, or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

IN WITNESS WHEREOF, the undersigned, being the owners of real property subject to the Declaration, as amended, set their hands and seals the date first above.

COLONIAL HEIGHTS DEVELOPMENT, INC.

By: David Christa

David Christa, President

THOMAS CREEK HOMEOWNERS ASSOCIATION, INC.

By: David Christa

David Christa, President



On this 3rd day of August, 1988, before me personally came David Christa, to me personally known, who, being by me duly sworn, depose and say that he resides in Rochester, New York; that he is the President of COLONIAL HEIGHTS DEVELOPMENT, INC., the corporation described in, and which executed, the within Instrument; that he knows the seal of said corporation; that the seal affixed to said Instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

LINDA A. HARRISON
NOTARY PUBLIC IN THE STATE OF NEW YORK
MONROE COUNTY
COMMISSION EXPIRES MARCH 30, 1990

Linda A. Harrison
Notary Public

April 30, 1990

On this 3rd day of August, 1988, before me personally came David Christa, to me personally known, who, being by me duly sworn, depose and say that he resides in Rochester, New York; that he is the President of THOMAS CREEK HOMEOWNERS ASSOCIATION, INC., the corporation described in, and which executed, the within Instrument; that he knows the seal of said corporation; that the seal affixed to said Instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

LINDA A. HARRISON
NOTARY PUBLIC IN THE STATE OF NEW YORK
MONROE COUNTY
COMMISSION EXPIRES MARCH 30, 1990

Linda A. Harrison
Notary Public

April 30, 1990

SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Perinton, County of Monroe, New York, and being part of Lot 17, Township 12, on the 4th Range of Townships in the Phelps and Gorham purchase, known and described as Phase 2 as shown on a resubdivision map of Thomas Creek Estates Subdivision, Section 1, Townhouse Project Phases 1 and 2, by Herman J. Klingenger, Licensed Surveyor, dated February 3, 1987 and filed in the Monroe County Clerk's office at Liber 242 of Maps, page 82.