

Recorded in the office for the recording  
of Deeds, etc. in and for Centre County  
in Misc. Book No. 175 at page 947  
9 day of Aug A.D. 19 84

Witness my hand and seal of office

*John W. Miles* Recorder

FIRST AMENDMENT TO THE DECLARATION OF  
CONDOMINIUM FOR CEDAR KNOLL, a  
Flexible Residential Condominium

THIS AMENDED Declaration made on the day and year  
hereinafter set forth by:

ZIMMERMAN HOMES, INC., a Pennsylvania corporation  
with principal offices located at 2029 Cato Avenue, State  
College, Centre County, Pennsylvania, as the owner in fee simple  
of the real estate hereinafter described, and hereinafter  
referred to as "DECLARANT".

W I T N E S S E T H:

WHEREAS, Declarant is the owner of certain property  
known as Cedar Knoll, a flexible residential condominium which  
has been declared to be a condominium by the filing of a  
Declaration for Condominium dated the 18th day of June, 1984,  
and recorded in the Office of the Recorder of Deeds of Centre  
County in Misc. Book 175, Page 147 and has recorded the  
Plat Plan in Plat Book 33, Page 33, in the Office of the  
Recorder of Deeds of Centre County, Pennsylvania. Amended Plats  
will be recorded from time to time in the Office of the Recorder  
of Deeds of Centre County and will be recorded at all times under  
the recorded name of Cedar Knoll, a flexible residential condominium.

NOW, THEREFORE, the Declarant does hereby declare that  
it is the express purpose, desire and intention of the Declarant  
to submit, and the Declarant does hereby submit this Amended  
Declaration, including any improvements for the property, to the  
provisions of the Pennsylvania Uniform Condominium Act, 68 PA.  
C.S. 3101, et seq., ("The Act"), and as may be amended from time  
to time for the specific purpose of creating and establishing a  
condominium; which property shall be used, held, sold and conveyed,

subject to:

- i. The provisions of the aforesaid Act;
- ii. The provisions of this Declaration;
- iii. The attachments to the Declaration as filed;
- iv. The By Laws, Rules and Regulations, and also

subject to;

v. Such Rules and Regulations as the Condominium Executive Board may duly adopt, and each and all the aforesaid five provisions for the purposes of effecting this condominium and of protecting the value and desirability of the said property and each part thereof; which provisions shall run with the real property and be binding on all parties having any right, title or interest in the property or any part thereof, their heirs, successors, administrators and assigns, and shall inure to the benefit of each owner thereof.

ARTICLE I

Definitions

Section 23. "Percentage Interest" means each unit owner's undivided ownership interest in the common elements; share of all votes of unit owners and share of common expense liability appurtenant to each unit as set forth in Exhibit "B". The maximum number of units constructed shall be 68. The minimum number shall be 60.

ARTICLE III

Buildings, Units, Boundaries, Plots and Plans

Section 2. "Description of Units" each unit is intended for independent residential use and each of the residential units consists of the following portions of a building:

- 5. Upper and Lower (Horizontal) Boundaries: The upper and lower boundaries of the units shall be the following boundaries extended to intersections with the vertical boundaries:
  - (i) Upper Boundary: The upper boundary shall be the horizontal plane of the upper surface of a ceiling unit.
  - (ii) The horizontal plane of the top surface of the unfinished, concrete floor slab.
  - (iii) Vertical Boundaries: The vertical boundaries of the units shall be the vertical planes, extended to intersections with each other and the upper and lower boundaries, of the unit side of the exterior unit side surface of the

exterior walls which do not separate the unit from any other unit and of the center line unit side surface of the party walls which separate the unit from other units.

ARTICLE XVII

OPTION TO EXPAND THE CONDOMINIUM

Section 1. Reservation. The Declarant hereby explicitly reserves as option until the seventh anniversary of the recording of this Declaration to add additional units or to modify units on the real estate, from time to time, in compliance with Section 3211 of the Act, without the consent of any unit owners or mortgagee. The option to expand or modify units may be terminated prior to such anniversary only upon the filing of the Declarant of an Amendment to this Declaration. The Declarant expressly reserves the right to add any and all portions of additional units or to modify the units as set forth on the Plat Plan, on the real estate already described by converting the real estate to units, at different times, at any time, in any order, without limitation and without any requirement that any other real estate shall be added, converted or withdrawn; PROVIDED, HOWEVER, that any converted real estate shall not exceed any of the areas described in the exhibits attached to the original Declaration. There are no other limitations on this option to expand the condominium or to modify the configurations of the units. The number of units in the maximum shall be 68 and the minimum shall be 60.

Section 2. Assurances. Declarant makes no assurances as to location of buildings on convertible real estate or the location of any units on the real estate as described on the Exhibits attached to the original Declaration. At such time as the condominium is expanded or modified and additional units are constructed or units are modified and expanded within themselves as constructed, or requested by unit owners, the maximum number of units on the real estate as described in the Exhibits or the number of units converted on the real estate already described in Exhibits as an aggregate, will be no more than 68. The maximum percentage in the aggregate of land and buildings of the common area that may be created by construction or by modification of the

units as shown on the Plat Plans or by the addition of additional units to the real estate, or by the modification of the additional to be built, units to the real estate already described, or converted, if added or modified, shall not be greater than 1/68th if and when 68 units in the maximum are constructed, and may be as great as 1/60th. In the event the Declarant elects to construct only 60 units, there shall not be any withdrawal of the described real estate as originally declared in the original Declaration as hereinbefore set out. Any buildings to be constructed in the phases on the real estate as described in the original Declaration and the attached Exhibits and the additional units as constructed during the phases of construction thereon will be compatible in quality, material, and style with the buildings initially constructed on the land. The Declarant expressly reserves the right to create limited common elements on the real estate and to designate common elements which may be subsequently assigned as limited common elements. Declarant also makes no assurances as to the type, size or maximum number of such common elements or limited common elements. The allocation of the percentage interest in the real estate shall be computed in accordance with the number of units constructed, if and when constructed. All restrictions in this Declaration effecting the use, occupation and alienation of residential units will apply to units created in the real estate as described in the Exhibits and as modified, from time to time, by the filing of the Declarant of Amended Plats. In the event the Declarant does add additional units or modifies the units as shown on the original Plat as filed on the real estate as described on the original Declaration and attached as Exhibits, Declarant shall nevertheless have the right to construct all or any portion of any building or buildings on the real estate described in the Exhibits attached hereto as he elects to modify, and operate the same without restriction, except as set forth herein.

ARTICLE XVIII  
CONVERTIBLE REAL ESTATE

Section 1. Reservation. The Declarant hereby explicitly reserves an option until the seventh anniversary of the recording of this Declaration to convert all or any portion of the convertible real estate as shown on the recorded Plats and Plans as originally filed on the original Declaration, and as modified by the Declarant from time to time. The Declarant will file amended Plats and Plans and will be recorded from time to time as the units are constructed or modified to units, common elements and limited common elements or any combination thereof from time to time in compliance with Section 3211 of the Act, without the consent of any unit owner or mortgagee. The option to convert may be terminated prior to such anniversary only upon the filing of an Amendment to this Declaration by the Declarant. The Declarant expressly reserves the right to convert any and all portions of the convertible real estate, at any time, at different times, in any order, without limitation and without any requirement that any other real estate shall be added, converted or withdrawn; PROVIDED, HOWEVER, that the convertible real estate shall not exceed any of the areas described in the original Declaration as attached as an Exhibit thereto, and there are no other limitations on the option to convert the convertible real estate from the condominium, and no limitation on the Declarant to modify or change the configuration of the units as shown on the original Plats and Plans as recorded. All amended plats and plans will be recorded by the Declaration.

Section 2. Assurances. If the convertible real estate is converted, the buildings on the convertible real estate will be located approximately as shown on the plats and plans attached hereto, and as recorded from time to time as units are constructed. At such time as the convertible real estate is completely converted, the maximum number of units which may be converted on the real estate as a whole in the development will be 68 in the aggregate. There may be as few as 60. Any buildings to be constructed

within the convertible real estate and units therein will be compatible in quality, materials and style with the buildings and other portions of the property. The Declarant may construct or convert certain additional structures and other amenities serving the condominium project and may modify the configurations as shown on the original plats and plans. Any changes shall be accompanied with additional plats and plans which will be recorded. Any buildings within the convertible real estate will be substantially shown on the exhibits attached and recorded. The Declarant expressly reserves the right to create limited common elements within the convertible real estate and to designate common elements therein which may be subsequently assigned as limited common elements. The type of such elements may be attics, roofs, patios, terraces, electrical and mechanical rooms and systems, including heating and cooling apparatus, parking, commercial and recreational facilities, and all other elements which can appropriately be designated as common elements or limited common elements or any combination thereof. The size of such elements shall be limited approximately to the same size as the existing improvements and the designated areas, except for any additional patios or terraces which shall not exceed the normal size for such appurtenances; however, the Declarant reserves the right to make modifications in the structures to meet the needs or requests of any designated unit owners. The electrical and mechanical rooms and systems, including heating and cooling apparatus, shall not exceed the normal size for the same necessary to serve the properties as constructed; and the parking, commercial and recreational facilities, if constructed, will not exceed the size necessary to serve the property. All restrictions in this Declaration effecting use, occupancy and alienation of units will apply to units created in the convertible real estate as modified and as amended from time to time. The reallocation of percentage interest in the convertible real estate in the property may be recomputed from time to time. The maximum number in the aggregate shall be 68 units and the minimum number of the units

constructed shall be 60. However, in the entire project all units are constructed and all additional real estate, as added and/or as additional units are converted or constructed. The lease percentage any residential unit owner may possess would be 1/60th of the entire condominium project, presuming that the ultimate project has only 60 units constructed and each unit owner only owns one unit.

IN WITNESS WHEREOF, the Declarant has hereunto caused these presents to be executed and his seal to be hereunto affixed at State College, Pa., this 9th day of August 1984.

ZIMMERMAN HOMES, INC.

By: Calvin E. Zimmerman (SEAL)  
Calvin E. Zimmerman, President

ATTEST:

Karl Hamby  
Secretary

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF CENTRE ) ss:

Before me, the undersigned, personally appeared CALVIN E. ZIMMERMAN, who acknowledged himself to be the President of ZIMMERMAN HOMES, INC., the foregoing corporation, and that as such, he, being authorized by such corporation to do so, executed the foregoing agreement for the purpose therein contained by signing his name thereon as such.

IN WITNESS WHEREOF, I have hereunto set my hand and subscribed my seal the 9th day of August, 1984.

Kathy L. Runkle  
Notary

KATHY L. RUNKLE, NOTARY PUBLIC  
DENVER TOWNSHIP, CENTRE COUNTY  
MY COMMISSION EXPIRES DEC. 22, 1988  
Member, Pennsylvania Association of Notaries

## EXHIBIT "B"

Unit Nos.	% Interest in Common elements of Condominium	No. of Votes
<u>HUNTINGTON LANE</u>		
1883	1/60 - 1/68	1
1884	1/60 - 1/68	1
1885	1/60 - 1/68	1
1886	1/60 - 1/68	1
1887	1/60 - 1/68	1
1889	1/60 - 1/68	1
1892	1/60 - 1/68	1
1894	1/60 - 1/68	1
1895	1/60 - 1/68	1
1896	1/60 - 1/68	1
1897	1/60 - 1/68	1
1898	1/60 - 1/68	1
<u>AYRSHIRE WAY</u>		
1882	1/60 - 1/68	1
1884	1/60 - 1/68	1
1885	1/60 - 1/68	1
1886	1/60 - 1/68	1
1887	1/60 - 1/68	1
1888	1/60 - 1/68	1
1891	1/60 - 1/68	1
1894	1/60 - 1/68	1
1896	1/60 - 1/68	1
1898	1/60 - 1/68	1
<u>HARVEST CIRCLE</u>		
1934	1/60 - 1/68	1
1936	1/60 - 1/68	1
1942	1/60 - 1/68	1
1943	1/60 - 1/68	1
1944	1/60 - 1/68	1
1945	1/60 - 1/68	1
1946	1/60 - 1/68	1
1947	1/60 - 1/68	1
1948	1/60 - 1/68	1
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1959	1/60 - 1/68	1
1962	1/60 - 1/68	1
1963	1/60 - 1/68	1
1964	1/60 - 1/68	1
1965	1/60 - 1/68	1
1966	1/60 - 1/68	1
1967	1/60 - 1/68	1
1968	1/60 - 1/68	1
1969	1/60 - 1/68	1
1972	1/60 - 1/68	1
1973	1/60 - 1/68	1
1974	1/60 - 1/68	1
1975	1/60 - 1/68	1
1976	1/60 - 1/68	1
1977	1/60 - 1/68	1
1978	1/60 - 1/68	1



Unit Nos.	% Interest in Common elements of Condominium	No. of Votes
1979	1/60 - 1/68	1
1982	1/60 - 1/68	1
1983	1/60 - 1/68	1
1984	1/60 - 1/68	1
1985	1/60 - 1/68	1
1986	1/60 - 1/68	1
1987	1/60 - 1/68	1
1988	1/60 - 1/68	1
1989	1/60 - 1/68	1
1992	1/60 - 1/68	1
1994	1/60 - 1/68	1
1996	1/60 - 1/68	1
1998	1/60 - 1/68	1