

**AGREEMENT AND DECLARATION OF COVENANTS FOR
COMMON DRIVEWAY MAINTENANCE AND REPAIR**

THIS AMENDMENT TO AGREEMENT AND DECLARATION OF COVENANTS FOR COMMON DRIVEWAY MAINTENANCE AND REPAIR, is made this ____ day of _____, 20__, by and between _____ and _____ (the "____"); and _____ and _____ (the "____") (the _____ and the _____ shall hereinafter sometimes be referred to jointly as the "Declarants").

RECITALS

WHEREAS, by virtue of a Deed dated _____, and recorded among the Land Records of Cecil County, Maryland, in Liber NDS No. __, folio _____, the _____ became vested with fee simple title to all that certain property situate and lying in the _____ Election District of Cecil County, Maryland, being known as _____, and further described as Parcel No. _____ on Tax Map _____, as same is more particularly described therein ("Parcel _____"); and

WHEREAS, by virtue of a Deed dated _____, and recorded among the Land Records of Cecil County, Maryland, in Liber WLB No. _____, folio _____, the _____ became vested with fee simple title to all that certain property situate and lying in the _____ Election District of Cecil County, Maryland, being known as _____, and further described as Parcel No. _____ on Tax Map _____, as same is more particularly described therein ("Parcel _____"); and

WHEREAS, by virtue of a Deed dated _____, and recorded among the Land Records of Cecil County, Maryland, in Liber WLB No. _____, folio _____, the _____ became vested with fee simple title to all that certain property situate and lying in the _____ Election District of Cecil County, Maryland, being known as _____, and further identified as Parcel No. _____ on Tax Map _____, as same is more particularly described therein ("Parcel _____")

WHEREAS, Parcel _____, Parcel _____, and Parcel _____ shall sometimes hereinafter be referred to collectively as the "Parcels"; and

WHEREAS, access to the Parcels is by an existing driveway leading from _____ Road (Maryland Route _____) to the Parcels; and

WHEREAS, the Declarants made, executed, and caused to be recorded an Agreement and Declaration of Covenants for Common Driveway Maintenance and Repair (the "Original Declaration"), dated _____, and recorded among the Land Records of Cecil County, Maryland, in Liber WLB No. _____, folio _____, which imposed certain restrictions, covenants, and conditions on the Parcels; and

WHEREAS, pursuant to Article IV, Section 4 of the Original Declaration, any amendment to the Original Declaration must be recorded among the Land Records of Cecil County, and consented to by Cecil County, Maryland~ and

WHEREAS, the Declarants desire to amend the Original Declaration. **Wherefore, these presents are executed.**

NOW, THEREFORE, THIS AMENDMENT FURTHER WITNESSETH: That for and in consideration of the sum of One Dollar (\$1.00), the mutual promises and covenants herein contained, and for other good and valuable consideration, the receipt and adequacy of all of which being hereby acknowledged, the Declarants hereto agree as follows:

1. The above Recitals are hereby incorporated and made a part hereof as though fully set forth herein.

2. The Original Declaration shall be amended as follows:

a. The recording reference of the _____ Deed is missing in the first WHEREAS paragraph in the Original Declaration. The recording reference should read "Liber W.L.B. No. _____, folio _____, and known as _____ Lane, _____, Maryland 21____."

b. The last sentence of the first paragraph of Article III, Section 7, shall be deleted and in its place the following paragraph shall be inserted:

"Each Lot Owner shall pay the following pro rata share for the total cost of the work performed:

Parcel _____	33.33%
Parcel _____	33.33%
Parcel _____	33.33%"

c. The following sentence shall be added at the end of Article III, Section 7: "All authorized work must be approved by a majority of the Lot Owners."

d. The following sentence shall be added at the end of Article IV, Section 4: "Any amendment must be approved, consented, and executed by all Lot Owners."

3. Except as expressly amended hereby, the Original Declaration is hereby ratified and shall remain in full force and effect.

4. This Amendment may be signed in one or more counterparts, each of which shall be deemed to be an original and all of which together shall constitute one and the same instrument, and signatures exchanged via facsimile and/or pdf shall be deemed original and binding for all purposes

5. The covenants, conditions, and restrictions herein contained shall insure to the benefit of and bind the personal representatives, successors, and assigns of the Declarants.

6. The provisions of this Amendment shall be enforceable by the Declarants and/or Cecil County, Maryland.

IN WITNESS WHEREOF, the undersigned, being the Declarants herein, have set their hands and seals, the day and year first above written.

WITNESS:

_____ (SEAL)

_____ (SEAL)

STATE OF MARYLAND, COUNTY OF CECIL, TO WIT:

I HEREBY CERTIFY, that on this _____ day of _____, 20__, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared _____ and _____, known to me (or satisfactorily proven) to be two of the herein named Declarants and they acknowledged the foregoing Amendment to Agreement and Declaration of Covenants for Common Driveway Maintenance and Repair to be their act, and that the same was executed for the purposes therein contained.

AS WITNESS my hand and Notarial Seal

Notary Public

My commission expires: _____

Approved for legal sufficiency:

County Attorney

Recommended for approval:

Chief, Division of Development Plans Review
Dept. of Land Use & Development Services