

Claypool 1987

DECLARATION

Phase I

KNOW ALL MEN BY THESE PRESENT, that SOUTHFIELD DEVELOPMENT COMPANY, a Pennsylvania Limited Partnership, by Southfield Partners, the general partner of said partnership, comprised of Southfield Land Company No. 1, Southfield Land Company No. 2, Southfield Land Company No. 3 and Southfield Crossing, Inc., being the owner of a certain tract of land situate in Silver Spring Township, Cumberland County, Pennsylvania, a portion of which has been plotted and laid out into building lots by a Plan known as Final Subdivision Plan of Phase I, Southfield Crossing, which Plan was approved by the Township Commissioners and recorded in the Cumberland County Recorder's Office in Plan Book 51, Page 17, does hereby constitute and establish an Owners' Committee as follows:

The Owners' Committee shall consist of Harry S. Claypool, Sr. and Harry S. Claypool, Jr. Upon the death or resignation of any of the above mentioned, the surviving partner(s) shall continue with the heirs, executors, administrators or guardians of such deceased or incapacitated person, to constitute the Owners' Committee. ~~The members of the Owners' Committee shall serve without compensation.~~ ~~At the completion of all phases, the Owners' Committee shall be taken over by the Homeowners Association.~~ And, further, does declare that the tract so plotted and laid out into building lots by the aforesaid Plan shall from this day, be and remain and be subject to the following restrictions and conditions.

X

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USE RESTRICTIONS

1. No unit shall be used for any other purpose other than a private dwelling for the unit owner or to whom the unit owner has leased the unit, subject to the provisions of the Declarations and By-Laws.

2. No trailer, tent, shack, shed or other outbuilding, except as hereinafter provided, shall be erected or maintained on any of the said lots, either temporarily or permanently, and no residence of a temporary character shall be erected or permitted on any of said lots. Garden shed can be erected upon approval of Owners' Committee.

3. The exterior features, including colors, of any dwelling structure or garage shall not be remodeled or changed until complete plans, sketches and designs of such changes are submitted to the Owners' Committee and approved by it.

4. No trade, business or profession shall be conducted or carried on in any of the units without the prior written approval of the Owners' Committee; and nothing shall be done or carried on in any of the units which shall be, or may become, a nuisance or annoyance to the owners or occupiers of other units or determination of any matters shall be by the Owners' Committee and shall be binding on all persons if made reasonably and in good faith.

5. No sign shall be displayed during the construction or sale of units except the realtor's sales sign and the realtor's open house sign.

6. No fence shall be erected without approval by the Owners' Committee and conforming to Township or other governmental specifications. No fence shall be allowed in front of units. No above ground pools shall be allowed.

7. No animals or poultry of any kind other than domestic household pets shall be kept and maintained on any part of the property or in any unit. Dogs and cats may not be kept, bred or maintained for any commercial use or purpose. Permitted household pets may not be outside units or courtyards except when they are on a leash and accompanied by a person. Household pets must reside in the unit (not the garage). Household pets may not permanently reside in the courtyard. No permanent animal structures allowed.

8. Trash, garbage and other waste shall be maintained in receptacles located in the courtyard or in the garage. Trash cans must be placed in street no sooner than the night before pickup and cans must be removed the same day of pick up. No article of personal property belonging to any unit owner except grills, patio furniture and the like may be stored in the courtyard.

9. The Common Elements shall be used only for the furnishing of services and facilities for which they are reasonably suited and which are incident to the use and occupancy of the units. Unit owners or occupants of units shall not place or cause to be placed in the public walkways, parking lots or other Common Elements, any furniture, packages or objects of any kind.

10. Boats, recreational vehicles, trailers and the like shall be stored in the garages. No unit owner may use the common area to repair, modify, tear down or do other mechanical work to vehicles. Partially dismantled vehicles or junk vehicles may not be parked, abandoned or stored on the common area. A junk vehicle is defined as a vehicle not bearing a correct Pennsylvania inspection sticker.

11. No television or radio aeriels or antennas shall be installed on any lot or on the exterior of any part of any dwelling, garage or other building.

12. The yard maintenance including keeping grass cut is the responsibility of the owner whether he occupies or leases the unit. If yard is not maintained, the owner will be in violation and action can be taken by the Owners' Association.

13. Unit owners shall exercise care to avoid unnecessary noise or the use of musical instruments, radios, television and amplifiers that may disturb other unit owners.

14. No unit owner shall post any advertisements or posters of any kind except as authorized by the committee.

15. No unit owner shall hang garments, rugs or similar objects from the windows or from any of the facades of the units.

16. No unit owner shall dust rags, mops or similar objects from the windows or clean rugs or similar objects by beating on the exterior part of the unit.

17. No unit owner shall act so as to interfere unreasonably with the peace and enjoyment of the unit owners of other units.

18. The Owners' Committee may from time to time promulgate rules and regulations concerning the use and enjoyment of the property, subject to the right of the unit owners Association to change such Executive Board Rules and Regulations. Copies of the then current Executive Board Rules and Regulations and any amendments thereto shall be furnished to all Unit Owners' and occupants by the Executive Board promptly after the adoption of such Executive Board Rules and Regulations or any amendments thereto.

19. The invalidation of any one of the foregoing restrictions or condition by a court shall in no wise affect any of the other provisions herein which shall be and remain in full force and effect.

20. The foregoing restrictions and conditions shall run with the tract of land plotted and laid out into building lots by the Plan known as Final Subdivision Plan of Phase I, Southfield Crossing, but no other land of the party hereto unless hereafter expressly so declared by Harry S. Claypool, Sr. and Harry S. Claypool, Jr.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals or if a corporation, it has caused these presents to be signed by its proper corporate officers and its corporate seal to be affixed hereto, the day and year first above written.

Signed, Sealed and Delivered  
in the presence of  
or Attested by

SOUTHFIELD DEVELOPMENT COMPANY  
a Pennsylvania Limited  
Partnership

BY: SOUTHFIELD PARTNERS  
a Pennsylvania General  
Partnership

BY: SOUTHFIELD LAND COMPANY NO. 1

Harry S. Claypool, Sr.  
Harry S. Claypool, Sr.  
President

BY: SOUTHFIELD LAND COMPANY NO. 2

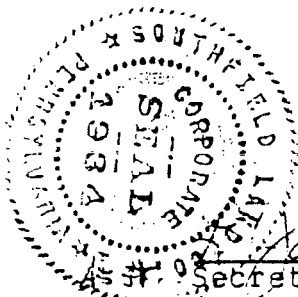
Harry S. Claypool, Jr.  
Harry S. Claypool, Jr.  
President

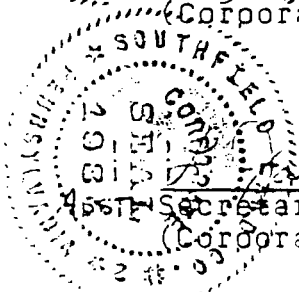
BY: SOUTHFIELD LAND COMPANY NO. 3

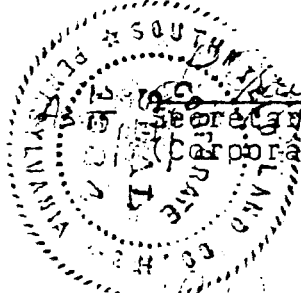
Harry S. Claypool, Sr.  
Harry S. Claypool, Sr.  
President

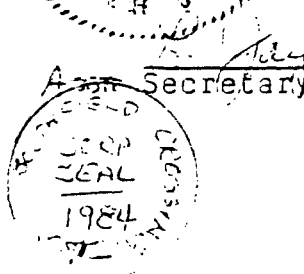
BY: SOUTHFIELD CROSSING, INC.

Harry S. Claypool, Sr.  
Harry S. Claypool, Sr.  
President

  
Ray Highlands  
Secretary  
(Corporate Seal)

  
Ray Highlands  
Secretary  
(Corporate Seal)

  
Ray Highlands  
Secretary  
(Corporate Seal)

  
Ray Highlands  
Secretary  
(Corporate Seal)

APPROVED AND ACCEPTED

[Signature]  
Witness

[Signature] L.S.  
Betty E. Sansom - Owner  
Lot No. 2-C

\_\_\_\_\_  
Witness

\_\_\_\_\_ L.S.  
James E. Naegele - Owner  
Lot No. 2-B

[Signature]  
Witness as to Petersons

[Signature] L.S.  
Norman G. Peterson - Owner

[Signature]  
Lorraine M. Peterson - Owner  
Lot 2-A

\_\_\_\_\_  
Witness

[Signature] L.S.  
Alan R. Boynton, Jr - Owner  
Lot No. 3-F

[Signature]

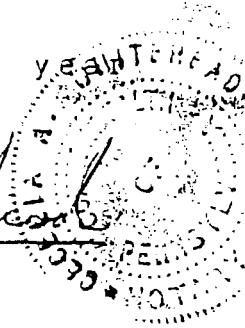
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF Dauphin )SS.

BE IT REMEMBERED, that on 11<sup>th</sup> of September, 1987, before me the subscriber personally appeared HARRY S. CLAYPOOL, SR. who acknowledged himself to be the President of Southfield Land Company No. 1, a Pennsylvania Corporation and a Co-Partner of Southfield Partners, a Pennsylvania General Partnership, which partnership is the general partner of Southfield Development Company, a Pennsylvania Limited Partnership, and that being authorized to do so as such corporate officer executed the foregoing instrument for the purposes therein contained on behalf of the corporation.

WITNESS my hand and seal the day and year  
aforedescribed.

**CECELIA A. WHITEHEAD, NOTARY PUBLIC  
LOWER PAXTON TWP., DAUPHIN CO.  
MY COMMISSION JAN. 6, 1990**

Cecilia A. Whitehead  
Notary Public



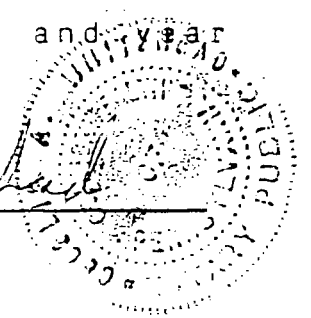
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF Dauphin )SS.

BE IT REMEMBERED, that on September 11, 1987,  
before me the subscriber personally appeared HARRY S. CLAYPOOL,  
JR. who acknowledged himself to be the President of Southfield  
LaNd Company No. 2, a Pennsylvania Corporation and a Co-Partner of  
Southfield Partners, a Pennsylvania General Partnership, which  
partnership is the general partner of Southfield Development  
Company, a Pennsylvania Limited Partnership, and that being  
authorized to do so as such corporate officer executed the  
foregoing instrument for the purposes therein contained on behalf  
of the corporation.

WITNESS my hand and seal the day and year  
aforedescribed.

**CECELIA A. WHITEHEAD, NOTARY PUBLIC  
LOWER PAXTON TWP., DAUPHIN CO.  
MY COMMISSION JAN. 6, 1990**

Cecilia A. Whitehead  
Notary Public



COMMONWEALTH OF PENNSYLVANIA, COUNTY OF Dauphin )SS.

BE IT REMEMBERED, that on September 11, 1987,  
before me the subscriber personally appeared HARRY S. CLAYPOOL,

SR. who acknowledged himself to be the President of Southfield Land Company No. 3, a Pennsylvania Corporation and a Co-Partner of Southfield Partners, a Pennsylvania General Partnership, which partnership is the general partner of Southfield Development Company, a Pennsylvania Limited Partnership, and that being authorized to do so as such corporate officer executed the foregoing instrument for the purposes therein contained on behalf of the corporation.

WITNESS my hand and seal the day and year  
aforedescribed.

CECELIA A. WHITEHEAD, NOTARY PUBLIC  
LOWER PAXTON TWP., DAUPHIN CO.  
MY COMMISSION JAN. 6, 1990

*Cecilia A. Whitehead*  
Notary Public




COMMONWEALTH OF PENNSYLVANIA, COUNTY OF Dauphin )SS.

BE IT REMEMBERED, that on September 11, 1987, before me the subscriber personally appeared HARRY S. CLAYPOOL, SR. who acknowledged himself to be the President of Southfield Crossing, Inc., a Pennsylvania Corporation and a Co-Partner of Southfield Partners, a Pennsylvania General Partnership, which partnership is the general partner of Southfield Development Company, a Pennsylvania Limited Partnership, and that being authorized to do so as such corporate officer executed the foregoing instrument for the purposes therein contained on behalf of the corporation.

WITNESS my hand and seal the day and year  
aforedescribed.

CECELIA A. WHITEHEAD, NOTARY PUBLIC  
LOWER PAXTON TWP., DAUPHIN CO.  
MY COMMISSION JAN. 6, 1990

Cecilia A. Whitehead  
Notary Public




COMMONWEALTH OF PENNSYLVANIA, COUNTY OF Dauphin

BE IT REMEMBERED, that on September 11, 1987,  
before me the subscriber personally appeared Betty E. Sansom,  
widow, known to me (or satisfactorily proven) to be the person,  
whose name is subscribed to the within instrument and acknowledged  
that she executed the same for the purposes therein contained.

WITNESS my hand and seal the day and year aforesaid

CECELIA A. WHITEHEAD, NOTARY PUBLIC  
LOWER PAXTON TWP., DAUPHIN CO.  
MY COMMISSION JAN. 6, 1990

Cecilia A. Whitehead  
Notary Public



COMMONWEALTH OF PENNSYLVANIA, COUNTY OF \_\_\_\_\_ )SS.

BE IT REMEMBERED, that on \_\_\_\_\_,  
before me the subscriber personally appeared James E. Naegele,  
single person, known to me (or satisfactorily proven) to be the  
person, whose name is subscribed to the within instrument and  
acknowledged that he executed the same for the purposes therein  
contained.

WITNESS my hand and seal the day and year aforesaid.

Notary Public

COMMONWEALTH OF PENNSYLVANIA, COUNTY OF Dauphin )SS.

BE IT REMEMBERED, that on September 11, 1987, before me the subscriber personally appeared Norman G. Peterson and Lorraine M. Peterson, his wife, known to me (or satisfactorily proven) to be the persons, whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

WITNESS my hand and seal the day and year aforesaid.

CECELIA A. WHITEHEAD, NOTARY PUBLIC  
LOWER PAXTON TWP., DAUPHIN CO.  
MY COMMISSION JAN. 6, 1990

Cecelia A. Whitehead  
Notary Public



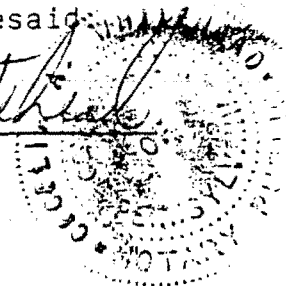
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF Dauphin )SS.

BE IT REMEMBERED, that on September 11, 1987, before me the subscriber personally appeared Alan R. Boynton, Jr., single man, known to me (or satisfactorily proven) to be the person, whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and seal the day and year aforesaid

CECELIA A. WHITEHEAD, NOTARY PUBLIC  
LOWER PAXTON TWP., DAUPHIN CO.  
MY COMMISSION JAN. 6, 1990

*Cecelia A. Whitehead*  
Notary Public



State of Pennsylvania }  
County of Cumberland } SS  
Recorded in the office for the recording of Deeds  
etc. in and for Cumberland County, Pa.  
in 1121 Book 340 Vol.      Page 223

witness my hand and seal of office at  
Carlisle, Pa. this 16 day of Sept, 1987

*Patricia A. Davis*  
Recorder

Send to:

Louis J. Adler  
P.O. Box 11433  
125 Locust St.  
Harrisburg, PA 17109

