

FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS and RESTRICTIONS FOR ELLICOTT MILLS

This First Amendment, made this 9th day of May, 1979, by and among Arundel Lumber Company, Inc., a Maryland corporation ("Arundel"), Helms Company, a Maryland joint venture ("Helms"), Ellicott Mills Associates, a Maryland Partnership ("Associates"), and Fred Pritt Building Co., Inc. ("Pritt") a Maryland Corporation.

RECITALS

By instrument entitled Declaration, Conditions and Restrictions for Ellicott Mills (the "Declaration") dated June 23, 1978 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. no. 5903 folio 524. Arundel imposed the covenants, conditions and restrictions therein set forth on the 152.52 acre tract of land (except for an approximately 3.2 acre portion thereof designed as "commercial area" on the plat hereinafter referred to), designated as Parcel One on the Plat entitled "First Amended Zoning and Density Distribution Plat Dickey Property" which is recorded among the Land Records of Baltimore County in Plat Book E.H.K., Jr. no. 43 folio 22.

Article XII, Section 3 of the Declaration provides that it may be amended by a vote of the members of the Association of the Ellicott Mills Homeowners Association in certain respects.

Arundel, Helms, Associates and Pritt, in the aggregate own all of the land within Parcel One, and by virtue of such ownership are all of the current members of the Association and therefore the holders of 100% of the votes which may be voted at any meeting of the members of

TRANSFER TAX NOT REQUIRED

William F. Laudeman

Acting Director of Finance

Per: [Signature]

Authorized Signature

BALTIMORE COUNTY CIRCUIT COURT (Land Records) EHK Jr. 6022, p. 0543, MSA_CE62_5877. Date available 01/03/2006. Printed 04/07/2016.

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the Association. Arundel, Helms, Associates and Pritt have unanimously agreed to amend the Declaration and to that end each of them, by its execution of this instrument, waives any requirement that a meeting be held for the purpose of votes on the amendment hereinafter set forth and casts its votes in favor of the amendment hereinafter set forth.

Now therefore the parties hereto by unanimous vote and agreement hereby amend the Declaration by adding the following additional grammatical paragraph at the end of the Section 3 of Article XII of the Declaration to be an additional part of Section 3.

Anything set forth above in this Section 3 to the contrary notwithstanding Declarant shall have the absolute unilateral right, power and authority to modify, revise, amend or change any of the terms or provisions of this Declaration, all as from time to time amended or supplemented. This unilateral right, power and authority of Declarant, may be exercised IF AND ONLY IF either the Veterans Administration or Federal Housing Administration or any successor agencies thereto shall require such action as a condition precedent to the approval by such agency of the United States of Parcel One or any part thereof or any Lots thereon, for federally approved mortgage financing purposes under applicable Veterans Administration, Federal Housing Administration or similar programs. Nothing in this grammatical paragraph shall permit the Declarant, without the consent of the entity holding title to the Storm Water Management Facility, to unilaterally amend the provisions of Section 3(e), 4 and 8 of Article V and of Article XI, or to otherwise amend any other provision of this Declaration which would materially adversely affect the making, collection or enforcement of the Storm Water Management Portion of an annual assessment or of a Storm Water Management Capital Improvement Assessment. Nothing in this grammatical paragraph shall permit the Declarant, without the consent of Baltimore County, to unilaterally amend the provisions of Section 1 of Article VI.

In all other respects the Declaration is ratified and confirmed and the Declaration, as amended hereby, shall remain in full force and effect.

In Witness Whereof the parties hereto have duly executed this First Amendment as of the date set forth above.

WITNESS:

Arundel Lumber Company, Inc.

Connie J. O'Connell

By: Jonathan W. Kolker (SEAL)
Jonathan W. Kolker, President

Helms Company

John Bower

By: John Bower (SEAL)
John Bower, Partner

Ellicott Mills Associates

Connie J. O'Connell

By: Solin Enterprises Ltd
By: Bernard Robbins (SEAL)
Bernard Robbins, Partner

Fred Pritt Building Co., Inc.

Connie J. O'Connell

By: Fred Pritt (SEAL)
Fred Pritt, President

STATE OF MARYLAND)
County of Harford } to wit:

I HEREBY CERTIFY that on this 14 day of May, 1979, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Jonathan W. Kolker, who acknowledged himself to be the President of Arundel Lumber Company, Inc., a Maryland corporation, and that he, as such President, being authorized so to do, executed the foregoing First Amendment for the purposes therein contained, by signing the name of the Corporation by himself as President.

AS WITNESS my hand and Notarial Seal.

NOTARY

Notary Public
My Commission Expires: 4/1/81

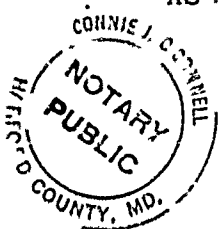
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STATE OF MARYLAND)
County of *Harford*

to wit:

I HEREBY CERTIFY that on this *14* day of *May*, 1979, before me, the subscriber, a Notary Public of the State of Maryland, in and for the *County* aforesaid, personally appeared *John Zwer*, a Partner in Helms Company, a Maryland joint venture, who acknowledged the foregoing First Amendment to be the act of the said joint venture and that he, as such Partner, being authorized so to do, executed the same for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.



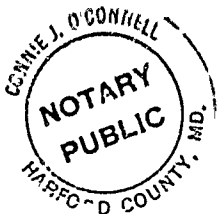
Connie J. O'Connell
Notary Public
My Commission Expires: *7/1/80*

STATE OF MARYLAND)
County of *Harford*

to wit:

I HEREBY CERTIFY that on this *14* day of *May*, 1979, before me, the subscriber, a Notary Public of the State of Maryland, in and for the *County* aforesaid, personally appeared *Benarro Robbins*, a Partner in Ellicott Mills Associates, a Maryland partnership, who acknowledged the foregoing First Amendment to be the act of the said partnership and that he, as such Partner, being authorized so to do, executed the same for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

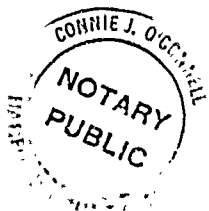


Connie J. O'Connell
Notary Public
My Commission Expires: *7/1/82*

STATE OF MARYLAND)
(County OF *Howard*) to wit:

I HEREBY CERTIFY that on this *4th* day of *May*, 1979, before me, the subscriber, a Notary Public of the State of Maryland, in and for the *County* aforesaid, personally appeared *Fred Pritt*, who acknowledged himself to be the President of Fred Pritt Building Co., Inc., a Maryland corporation, and that he, as such President, being authorized so to do, executed the foregoing First Amendment for the purposes therein contained, by signing the name of the Corporation by himself as President.

AS WITNESS my hand and Notarial Seal.



Connie J. O'Connell
Notary Public
My Commission Expires: *7/1/82*

00'61*** #247917# 6L-81 AN: MAY 18-79
00'61*** #247917# 6L-81 AN: MAY 18-79

Rec'd for record MAY 18 1979 at *12:24* PM
Per Elmer H. Kahline, Jr., Clerk
Mail to *Venue, Baltgas + Howard*
Receipt No. *19104*