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T20090044238

Michael E. Kozikowski
New Castle Recorder MISC

Tax Parcel Nos.: See Attached Sheet

PREPARED BY AND RETURN TO:

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P.O. Box 25130
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Michael E. Kozikowski
New Castle Recorder MISC

AMENDMENT TO RESTRICTIONS

THIS AMENDMENT TO RESTRICTIONS (this "Amendment") is made this 28th day of December, 2009 by **PEMBREY CIVIC ASSOCIATION**, a Delaware corporation, ("Declarant").

WHEREAS, Declarant is the holder of certain rights and powers relative to the community of Pembrey situate in Brandywine Hundred, New Castle County, Delaware, as the same is shown on that certain plot recorded in the Office of the Recorder of Deeds in and for New Castle County, Delaware (the "Recorder's Office") in Deed Record V, Volume 35, Page 601 (the "Plot"), under a certain Deed between Lawrence P. Talley and Esther W. Talley (the "Talleys"), as parties of the first part, and Marjorie A. Purner, as party of the second part, dated October 21, 1938 and recorded in the Recorder's Office in Deed Record C, Volume 41, Page 272, as amended by Agreement executed by the Talleys, dated October 24, 1949 and recorded in the Recorder's Office in Deed Record O, Volume 49, Page 153 (the "Restrictions"), having acquired those rights pursuant to that certain Indenture between the Talleys and Declarant, dated January 2, 1964 and recorded in the Recorder's Office in Deed Record L, Volume 72, Page 195; and

WHEREAS, the Restrictions provide that Declarant shall have the right at any time to change or modify any of the restrictions contained therein "... provided such changes can be made without the objections of the owners of more than one-half of any frontage as being prejudicial to their welfare"; and

WHEREAS, Declarant desires to amend the Restrictions as hereinafter provided and has gained the consent of more than one-half of the frontage of lots within the community of Pembrey as shown on the Plot as is evidenced by written consents currently held in the official records of Declarant.

NOW, THEREFORE, Declarant does hereby amend the Restrictions as follows:

1. The "Use of Land" Paragraph is hereby deleted in its entirety and the following shall be substituted in its place:

Use of Land: The land in the entire tract shall be used for private residence purposes only and no building of any kind whatsoever shall be erected or maintained thereon, except private detached dwelling houses, private garages, and other necessary outbuildings such as a toolhouse or a greenhouse, for the sole use of the respective

owners, or occupants of the plots upon which such are erected, each dwelling to be designed for occupation by a single family.

2. A new Paragraph is hereby added to the Restrictions to read as follows:

Subdivision of Lots: No lot included within the development known as Pembrey as shown on that certain plot recorded in the Office of the Recorder of Deeds in and for New Castle County, Delaware in Deed Record V, Volume 35, Page 601, as the same may have been heretofore amended, shall be further subdivided so as to be able to be conveyed as a single stand-alone lot to a third party for purposes of construction of a dwelling house thereon nor shall any lots be combined in any manner so as to allow for any subsequent subdivision of the combined lots so as to be conveyed as prohibited hereinabove.

3. The Restrictions, as amended by this Amendment, shall continue to be binding and of full force and effect.

4. This Amendment shall be construed in accordance with the laws of the State of Delaware.

IN WITNESS WHEREOF, PEMBREY CIVIC ASSOCIATION has hereunto executed this Amendment to Restrictions the day and year first above written.

PEMBREY CIVIC ASSOCIATION

By: Eussa Budischak (SEAL)
Name: EUSSA BUDISCHAK
Title: President

(Corporate Seal)

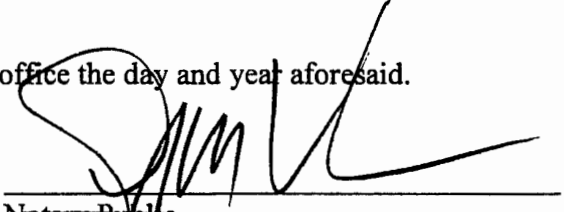
Attest: Peter W. Free (SEAL)
Name: PETER W. FREE
Title: Co-Secretary

Attest: Deborah A. Free (SEAL)
Name: Deborah A. Free
Title: Co-Secretary

STATE OF DELAWARE :
: SS
COUNTY OF NEW CASTLE :

BE IT REMEMBERED, on this 28th day of December, 2009, personally came before me, the Subscriber, a Notarial Officer for the State and County aforesaid, Elisa Budiszek, President of PEMBREY CIVIC ASSOCIATION, a corporation of the State of Delaware, party to this Instrument of Writing, known to me personally to be such, and acknowledged this Instrument of Writing to be his/her act and deed and the act and deed of said corporation.

GIVEN under My Hand and Seal of office the day and year aforesaid.



Notary Public _____
Printed Name: _____
My Commission Expires: _____

DOUGLAS M. HERSHMAN
Attorney at Law - State of Delaware
Notarial Officer Pursuant to
29 Del.C. §4323(a)(3)
My Commission Has No Expiration

Parcel #.	Address
0605300120	202 W PEMBREY DR
0605300121	204 W PEMBREY DR
0605300122	206 W PEMBREY DR
0605300123	208 W PEMBREY DR
0605300124	210 W PEMBREY DR
0605300125	212 W PEMBREY DR
0605300134	209 W PEMBREY DR
0605300135	207 W PEMBREY DR
0605300136	205 W PEMBREY DR
0605300137	203 W PEMBREY DR
0605300138	201 W PEMBREY DR
0605300139	115 E PEMBREY DR
0605300140	204 N PEMBREY DR
0605300141	206 N PEMBREY DR
0605300142	208 N PEMBREY DR
0605300143	211 N PEMBREY DR
0605300144	209 N PEMBREY DR
0605300145	207 N PEMBREY DR
0605300146	205 N PEMBREY DR
0605300147	201 N PEMBREY DR
0605300148	109 E PEMBREY DR
0605300149	107 E PEMBREY DR
0605300150	105 E PEMBREY DR
0605300151	103 E PEMBREY DR
0605300152	104 E PEMBREY DR
0605300153	106 E PEMBREY DR
0605300154	108 E PEMBREY DR
0605300155	110 E PEMBREY DR
0605300156	112 E PEMBREY DR
0605300157	111 W PEMBREY DR
0605300189	200 N PEMBREY DR
0605300191	119 E PEMBREY DR
0605400013	1651 FOULK RD
0605400278	101 E PEMBREY DR
0606600171	1523 FOULK RD
0606600172	100 W PEMBREY DR
0606600173	102 W PEMBREY DR
0606600174	104 W PEMBREY DR
0606600175	106 W PEMBREY DR

Parcel #	Address
0606600177	112 W PEMBREY DR
0606600178	116 W PEMBREY DR
0606600179	200 W PEMBREY DR
0606600180	102 E PEMBREY DR
0606600181	100 E PEMBREY DR
0606600182	101 W PEMBREY DR
0606600183	103 W PEMBREY DR
0606600184	105 W PEMBREY DR
0606600185	107 W PEMBREY DR
0606600186	109 W PEMBREY DR
0606600225	110 W PEMBREY DR
0606600225	110 A W PEMBREY DR
0606600226	114 W PEMBREY DR
0606700001	1 PEMBREY PL
0606700002	1605 FOULK RD
0606700003	1609 FOULK RD
0606700004	3 PEMBREY PL
0606700005	4 PEMBREY PL
0606700006	2 PEMBREY PL
0606700302	1525 FOULK RD

0605300130	217 W PEMBREY DR
0605300133	211 W PEMBREY DR
0605300131	215 W PEMBREY DR
0605300129	220 W PEMBREY DR
0605300126	214 W PEMBREY DR
0605300132	213 W PEMBREY DR
0605300128	218 W PEMBREY DR
0605300127	216 W PEMBREY DR