

Colton Meadow
Second Amendment
To
Declaration of Restrictions
Date March 31, 2002

WHEREAS; by Declaration of Restrictions dated March 27, 1996 (the “Declaration”), recorded in the Office of the Recorder of Deeds in and for New Castle County, Delaware, in Deed Book 2074, Page 0325, by Colton Meadow Development Company, LP, a Delaware Corporation, imposed certain restrictive covenants, easements and agreements upon and with respect to Colton Meadow as shown on Microfilm No. 12763 (the “Plan”) in the Office aforesaid; and

WHEREAS; the current Deed Restriction, Article 7 – Fences restricted the ability to place a six foot fence enclosing a pool, unless the fence was within 25 feet of the principal building;

AND WHEREAS; the intent is to provide for safety around a pool that is located farther than 25 feet from the principal building, and furthermore, this Deed Restriction amendment is intended allow a six foot fence enclosing only a pool, however, remain within the intent of the open community;

AND WHEREAS; A majority vote (50-2) was passed at the September 19, 2001 General Membership Meeting in favor of the change in language concerning enclosing a pool with a six foot fence;

AND WHEREAS; The attached petitions contain the signatures of at least sixty percent of the lot owners, voting in the affirmative for this deed restriction change.

NOW, THEREFORE, inserting the following underlined language in the fourth paragraph, as follows, hereby amends Declaration of Restrictions for Colton Meadow Phase I, Phase II, and Phase III, Article 7 – Fences:

No fence in excess of four (4) feet high (and six (6) feet or less in height) shall be erected or maintained on any Lot excepting only fences enclosing a patio, storage, swimming pool, or similar area provided that such fence shall be permitted only within twenty five (25) feet of the principal building on any Lot, **unless the fence is used solely to enclose an in-ground swimming pool, however, not the entire property and the fence shall be no more than twenty (20) feet from the water’s edge,** provided however, that in no case shall a fence in excess of four (4) feet high be erected or maintained along or within eight (8) feet of the property lines of any lot.