



\*430100254DLRT\*

Control Number <b>430100254</b>	WIID Number <b>2003010-000140</b>	Instrument Type <b>DLR</b>
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**WESTCHESTER COUNTY RECORDING AND ENDORSEMENT PAGE  
(THIS PAGE FORMS PART OF THE INSTRUMENT)**

\*\*\* DO NOT REMOVE \*\*\*

**THE FOLLOWING INSTRUMENT WAS ENDORSED FOR THE RECORD AS FOLLOWS:**

**TYPE OF INSTRUMENT DLR - DECLARATION**  
**FEE PAGES 3 TOTAL PAGES 3**

**RECORDING FEES**

STATUTORY CHARGE	\$6.00
RECORDING CHARGE	\$9.00
RECORD MGT. FUND	\$19.00
RP 5217	\$0.00
TP-584	\$0.00
CROSS REFERENCE	\$0.50
MISCELLANEOUS	\$0.00
<b>TOTAL FEES PAID</b>	<b>\$34.50</b>

**MORTGAGE TAXES**

MORTGAGE DATE	
MORTGAGE AMOUNT	\$0.00
EXEMPT	
YONKERS	\$0.00
BASIC	\$0.00
ADDITIONAL	\$0.00
SUBTOTAL	\$0.00
MTA	\$0.00
SPECIAL	\$0.00
<b>TOTAL PAID</b>	<b>\$0.00</b>

**TRANSFER TAXES**

CONSIDERATION	\$0.00
TAX PAID	\$0.00
TRANSFER TAX #	

**SERIAL NUMBER  
DWELLING**

**RECORDING DATE 01/29/2003**  
**TIME 07:03:00**

**THE PROPERTY IS SITUATED IN  
WESTCHESTER COUNTY, NEW YORK IN THE:  
TOWN OF MT. PLEASANT**

**WITNESS MY HAND AND OFFICIAL SEAL**

**LEONARD N. SPANO  
WESTCHESTER COUNTY CLERK**

**Record & Return to:  
SHAMBERG MARWELL HOCHERMAN DA  
ATTN: CATHERINE B ANDREYCAK  
55 SMITH AVE  
MT KISCO, NY 10549**

S-3  
B-61  
L-1-62  
T/O MT. PLEASANT

**THIRD AMENDMENT TO DECLARATION  
OF FOXWOOD CONDOMINIUM I**

THIRD AMENDMENT TO DECLARATION made as of this 3<sup>rd</sup> day of December, 2002 by FOXWOOD CONDOMINIUM I, a condominium association organized and existing pursuant to Article 9(b) of the Real Property Law of the State of New York, and having its principal place of business at 9-9 Foxwood Drive, Pleasantville, in the County of Westchester, State of New York.

**W I T N E S S E T H :**

**WHEREAS**, a meeting of the Unit Owners of Foxwood Condominium I was properly held on the 3<sup>rd</sup> day of December, 2002; and

**WHEREAS**, by the affirmative vote of more than 66 2/3% in number and in common interest of all unit owners of Foxwood Condominium I, certain resolutions were adopted to amend certain provisions of the Declaration of Foxwood Condominium I dated September 23, 1977 and recorded in the Office of the Clerk of the County of Westchester in Liber 7425, Page 86 (the "Declaration").

**NOW, THEREFORE**, the parties hereto amend the provisions of the Declaration as set forth herein.

1. The Declaration is amended by adding the following to the end of Article III, Section 7 of the By-Laws annexed thereto:

Provided, however, that any corporation, partnership or fiduciary taking title shall immediately designate an occupant of the unit who shall be deemed the "Unit Owner" for purposes of the leasing restrictions contained in Article VIII hereof. Any subsequent occupant shall be deemed a tenant, and such tenancy shall be subject to the leasing restrictions contained in Article VIII hereof.

2. The Declaration is amended by adding the following Section 1A to Article VIII of the By-Laws annexed thereto:

No unit owner may lease a unit until such time as the unit owner has occupied the unit for a minimum of two years. Upon the vacancy of the unit by the unit owner, the unit may be leased once, subject to the provisions of these By-Laws, for a period of time not to exceed two consecutive years. After the vacancy of the unit by the tenant, the unit shall no longer be leased by such unit owner or otherwise occupied by anyone other than (i) the unit owner and (ii)

members of the unit owner's immediate family or a domestic partner, provided the unit owner also occupies the unit.

In the event the unit is occupied by members of the unit owner's family and not by the unit owner, such occupancy shall be deemed a tenancy which shall be subject to the limitations of the above provisions.

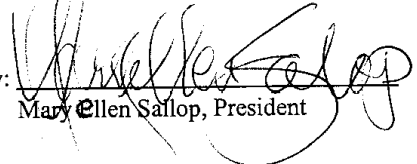
The Board of Managers may impose reasonable fees upon the leasing of any unit.

The restrictions of this Section 1A shall not apply to units purchased by the Board of Managers.

The foregoing restrictions shall be applicable only to those unit owners purchasing units after the date of this Amendment.


**IN WITNESS WHEREOF**, the parties hereto have each executed this Third Amendment as of the date first above written.

FOXWOOD CONDOMINIUM I

By:   
Mary Ellen Sallop, President

STATE OF NEW YORK }  
 } s.s.:  
COUNTY OF WESTCHESTER }

On December 3rd, 2002 before me, the undersigned, a Notary Public in and for said State, personally appeared Mary Ellen Sallop, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
Notary Public

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CATHERINE B. ANDREYAK  
NOTARY PUBLIC, State of New York  
No. 02AN5040233  
Qualified in Westchester County  
Cert. Filed in New York County  
Commission Expires July 3, 2004

Record & Return to:  
**SHAMBERG MARWELL HOCHERMAN**  
**DAVIS & HOLLIS, P.C.**  
55 SMITH AVENUE

Attn: Catherine B. Andreyak  
MT. KISCO, NEW YORK 10549