



430100285DLRX

Control Number
430100285

WIID Number
2003010-000152

Instrument Type
DLR



**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
TOTAL FEES PAID	\$34.50

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
TOTAL PAID	\$0.00

TRANSFER TAXES

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

**SERIAL NUMBER
DWELLING**

**RECORDING DATE 01/16/2003
TIME 10:51:00**

**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:
CATHERINE B ANDRCYCAK
SHAMBERG MARWELL HOCHERMAN-DA
55 SMITH AVE
MT KISCO, NY 10549**

S-3
B-60
L- ~~10~~ 10
T/O MT. PLEASANT

**SECOND AMENDMENT TO DECLARATION
OF FOXWOOD CONDOMINIUM III**

SECOND AMENDMENT TO DECLARATION made as of this 21st day of November, 2002 by FOXWOOD CONDOMINIUM III, 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.

WITNESSETH:

WHEREAS, a meeting of the Unit Owners of Foxwood Condominium III was properly held on the 13th day of November, 2002; and

WHEREAS, by the affirmative vote of more than 66 ⅔% in number and in common interest of all unit owners of Foxwood Condominium III, certain resolutions were adopted to amend certain provisions of the Declaration of Foxwood Condominium III dated May 30, 1978 and recorded in the Office of the Clerk of the County of Westchester in Liber 7481, Page 504 (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)

RECORDED
2002 NOV 10 11:43:22
WESTCHESTER COUNTY CLERK

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.

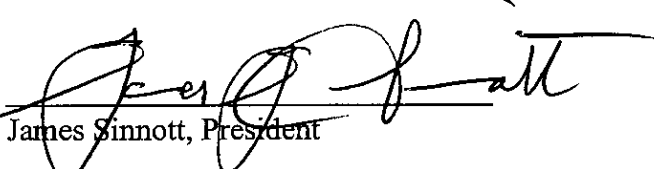
The Board of Managers may impose reasonable fees upon the leasing of any unit.

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.

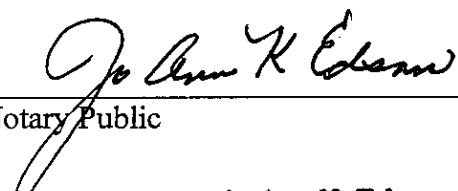
IN WITNESS WHEREOF, the parties hereto have each executed this Second Amendment as of the date first above written.

FOXWOOD CONDOMINIUM III

By: 
James Sinnott, President

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

On November 21, 2002 before me, the undersigned, a Notary Public in and for said State, personally appeared James Sinnott, 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 he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

Jo-Ann K. Edson
Notary Public, State of New York
No. 01ED6034370
Qualified in Westchester County
Commission Expires December 8, 2006

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Record & Return to:
SHAMBERG MARWELL HOCHERMAN 2
DAVIS & HOLLIS, P.C.
55 SMITH AVENUE
MT. KISCO, NEW YORK 10549
Attn: Catherine B. Andrycaik