



\*482810712DLR1\*

Control Number  
**482810712**

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: 4                      TOTAL PAGES: 4**

**RECORDING FEES**

STATUTORY CHARGE	\$6.00
RECORDING CHARGE	\$12.00
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>\$37.50</b>

**MORTGAGE TAXES**

MORTGAGE DATE	
MORTGAGE AMOUNT	\$0.00
EXEMPT	
COUNTY TAX	\$0.00
YONKERS TAX	\$0.00
BASIC	\$0.00
ADDITIONAL	\$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: 10/17/2008  
TIME: 12:30:00**

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

WITNESS MY HAND AND OFFICIAL SEAL

**TIMOTHY C. IDONI  
WESTCHESTER COUNTY CLERK**

**Record & Return to:  
ANNE COLUCCI, ESQ.  
SHAMBERG MARWELL  
55 SMITH AVE.  
MT. KISCO, NY 10548**

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

BTAC99128  
3-60-10  
TIMT.  
Pleasant 0712  
P-3

THIRD AMENDMENT TO DECLARATION made as of this 25 day of July, 2008 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 24 day of July, 2008; 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 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 VI, Section 1 of the By-Laws annexed thereto:

Notwithstanding anything to the contrary contained herein, in the event of a fire or other casualty which results in the damage to or destruction of all or substantially all of any Building and the displacement of the Unit Owners or occupants of such Building, the Board of Managers, in its sole discretion, shall have the right to reduce, on a temporary basis, the Common Charges for the Units so affected by deducting such portion of the Common Charges as the Board of Managers determines, in its sole discretion, are attributable to costs, such as heating, utilities and other services, that such Unit Owners or occupants shall not utilize during the period when such Unit Owners or occupants were displaced. Unless the Board of Managers, in its sole discretion, determines otherwise, such period shall commence on the first day of the month following the date of such fire or casualty, and shall cease as of the first day of the month following the date on which the restoration of the Building is complete (regardless of whether a

MTD



# WESTCHESTER COUNTY CLERK RECORDING SHEET

110 Dr. Martin Luther King, Jr. Boulevard      White Plains, NY 10601

----- THIS FORM MUST BE COMPLETED AND SUBMITTED WITH EACH DOCUMENT -----

This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this document.  
To the best of the submitter's knowledge the information contained on this Recording Sheet is consistent with the information contained in the attached document.

**SUBMITTER INFORMATION:** Title Number: BTA-099128

Company: Benchmark Title Agency, LLC

Address: 222 Bloomingdale Road

City White Plains, State: N.Y. Zip: 10605 Telephone: 914-250-2400

Attention: SWING

Document type: <u>Dec. Amend.</u>	# of pages - <u>3</u>	Mortgage Amount On page ____ of document \$ _____ OR Consideration/Conveyance Amt: \$ _____	Dwelling Type: For Mortgage Only On page ____ of document <input type="checkbox"/> 1 to 2 family <input type="checkbox"/> 1 to 6 family <input type="checkbox"/> Not 1 to 6 family												
1st party name(s) (i.e. grantor/mortgagor) In page ____ of document <u>Foxwood</u> <u>Condo III</u>	Business Entity <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Check if submitted: <input type="checkbox"/> RP-5217 - [ ] \$75 [ ] \$165 <input type="checkbox"/> TP-584 - Type of property conveyed [1 through 8] _____ <input type="checkbox"/> TP-584.1 [ ] IT-2663													
2nd party name(s) (i.e. grantee/mortgagee) In page ____ of document	Business Entity <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	TAXES PAID: <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;"></th> <th style="width: 25%;">Amount</th> <th style="width: 25%;">Reference # Or Check #</th> </tr> </thead> <tbody> <tr> <td>Mortgage Tax</td> <td>\$ _____</td> <td>_____</td> </tr> <tr> <td>Transfer Tax</td> <td>\$ _____</td> <td>_____</td> </tr> <tr> <td>Mansion Tax</td> <td>\$ _____</td> <td>_____</td> </tr> </tbody> </table>			Amount	Reference # Or Check #	Mortgage Tax	\$ _____	_____	Transfer Tax	\$ _____	_____	Mansion Tax	\$ _____	_____
	Amount	Reference # Or Check #													
Mortgage Tax	\$ _____	_____													
Transfer Tax	\$ _____	_____													
Mansion Tax	\$ _____	_____													
Tax designation (Section, Block & Lot) On page ____ of document <u>3-60-10</u>		RECORDING FEES PAID: Amount \$ <u>37</u>													
City(ies) or Town(s) for Property Description On page ____ of document <u>T1 Mt. Pleasant</u>		MORTGAGE TAX AFFIDAVITS SUBMITTED: <input type="checkbox"/> 252 [ ] 255 [ ] 280 Other: _____ <input type="checkbox"/> 253 [ ] 260 [ ] 339-ee _____													
Property Description -- If required, check the one contained within the document. On page ____ of document <input type="checkbox"/> Metes & bounds <input type="checkbox"/> Lot number on map filed in the Office of the County Clerk <input type="checkbox"/> Refer to deed recorded in the Office of the County Clerk		Record and Return To: <u>Anne Colucci, Esq.</u> <u>Shamberg Maxwell</u> <u>65 Smith Ave.</u> <u>Mt. Kisco NY</u> <u>10549</u>													