

Tax Parcels Nos. 1-34-13.00-88.00 &
1354.00 thru 1680.00 &
1751.00 thru 1850.00 &
1946.00 thru 1951.00 &
2063.00 thru 2074.00

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BK03520 PG00062

Prepared by/Return to:
Robert J. Valihura, Jr., Esquire
105 Beauregard Court
Wilmington, DE 19810

**AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS
APPLICABLE TO ALL PROPERTY IN SALT POND**

THIS AMENDMENT TO DECLARATION made this day of October, 2007, by SALT POND HOMEOWNERS ASSOCIATION, INC., a Delaware non-stock corporation (hereinafter referred to as "Association"),

WITNESSETH

WHEREAS, the Declaration of Covenants and Restrictions Applicable to All Property in Salt Pond (the "Declaration"), is recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 1811, Page 51 *et seq.*, as amended.

WHEREAS, Pursuant to ARTICLE XI, Section 2 of the Declaration, the Declaration may be amended at any time by an instrument approved by more than two-thirds (2/3) of the votes entitled to be cast by all of the members of the Association.

WHEREAS, at an Association Meeting on August 11, 2007, at the Salt Pond Community Center, Bethany Beach, Delaware, the amendment set forth below was approved by 439 yeas to 11 nays, which is more than two-thirds (2/3) of the votes entitled to be cast by all members of the Association.

WHEREAS, pursuant to ARTICLE XI, Section 2, this amendment to the Declaration, has been executed by the President of the Association and the Secretary of the Association who attests that the amendment was approved by the requisite number of votes.

NOW, THEREFORE, the Declaration of Covenants and Restrictions Applicable to All Property in Salt Pond (the "Declaration"), which are of record in the Office of the Recorder of Deeds, aforesaid, in Deed Book 1811, Page 51 *et seq.*, and as amended, is hereby amended as follows:

Article VI of the Declaration of Covenants, Conditions and Restrictions is hereby amended by adding new Section 12 to read as follows:

“Notwithstanding any other provision to the contrary herein, the Board of Directors shall be permitted, in addition to any other assessment permitted herein, to assess each owner of any lot or unit and to enforce and collect, under the same terms for collection and enforcement of assessments set forth in this Article VI, a one time assessment in an amount of \$5,000.00 (in payment terms to be set by the Board of Directors) solely for the purchase of the Salt Pond Golf Course and for related expenses in connection with such purchase.”

IN WITNESS WHEREOF, the President of the Association affirms that at a special meeting of the Salt Pond Homeowners Association, Inc. on August 11, 2007 at the Salt Pond Community Center, Bethany Beach, Delaware, the above amendment was approved by 439 yeas to 11 nays, which is more than two-thirds (2/3) of the votes entitled to be cast by all members of the Association, and further has caused this Amendment to the Declaration of Covenants, Conditions and Restrictions to be executed on this day of October, 2007.

SALT POND HOMEOWNERS ASSOCIATION, INC.
ASSOCIATION, INC.

A Delaware non-stock corporation

By: William Kester (SEAL)
WILLIAM KESTER
PRESIDENT

ATTEST: Gerrylee Buckley
By: Gerry Buckley (SEAL)
GERRY BUCKLEY
SECRETARY

STATE OF DELAWARE :
 : SS
COUNTY OF SUSSEX :

BE IT REMEMBERED, that on this 24 day of October, A.D., 2007 personally appeared before me, the Subscriber, A Notary Public for the State and County aforesaid, WILLIAM KESTER, President of SALT POND HOMEOWNERS ASSOCIATION, INC. a Delaware non-stock corporation, party to this Indenture, known to me personally to be such, and he acknowledged this Indenture to be his act and deed and the act and deed of said corporation

and that GERRY BUCKLEY, as Secretary of said corporation did additionally attest to the President's signature.

GIVEN under my Hand, the day and year aforesaid.

KYLE D. SHORT
Notary Public - State of Delaware
My Comm. Expires March 27, 2008

NOTARY PUBLIC

Print Name: Kyle D. Short

Commission Expires: [Signature]

IN WITNESS WHEREOF, the Secretary of SALT POND HOMEOWNERS ASSOCIATION, INC. affirms that at an Association Meeting on August 11, 2007 at the Salt Pond Community Center, Bethany Beach, Delaware, the above amendment was approved by 439 yeas to 11 nays, which is more than two-thirds (2/3) of the votes entitled to be cast by all members of the Association. Therefore, the amendment was approved by the requisite number of votes of the members of the Association.

By: [Signature]
Gerry Buckley
GERRY BUCKLEY
SECRETARY

STATE OF DELAWARE :
 : SS
COUNTY OF SUSSEX :

RECORDER OF DEEDS
JOHN F. BRADY
11/13/2007 11:43A
SUSSEX COUNTY
DOC. SURCHARGE PAID

SWORN TO AND SUBSCRIBED before me, this 24 day of October, A.D., 2007, A Notary Public for the State and County aforesaid, GERRY BUCKLEY, Secretary of SALT POND HOMEOWNERS ASSOCIATION, INC. a Delaware non-stock corporation, party to this Indenture, known to me personally to be such, personally appeared before me, acknowledged this Indenture to be her act and deed and the act and deed of said corporation.

GIVEN under my Hand, the day and year aforesaid.

[Signature]
NOTARY PUBLIC

Print Name: Kyle D. Short

Commission Expires: KYLE D. SHORT
Notary Public - State of Delaware
My Comm. Expires March 27, 2008