

Tax Parcel Nos.: See Attached Exhibit "A"

Prepared by and return to:

Pine Bay Homeowners Association, Inc.
225 South State St.,
Dover DE 19901

334 -20.00 -2.00 through
-99.00 inclusive

**SECOND AMENDMENT TO
AMENDED AND RESTATED DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR PINE BAY,
Section of Country Manor**

THIS SECOND AMENDMENT TO AMENDED AND RESTATED DECLARATION is made and executed as of the 31 day of January, 2025, by Pine Bay Homeowners Association, Inc., a Delaware Non-Stock Corporation, hereinafter referred to as the "Association".

WHEREAS, the Pine Bay Homeowners Association, Inc. is the "Association" as defined in that certain AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PINE BAY, Section of Country Manor, of record in the Office of the Recorder of Deeds in and for Sussex County at Georgetown, Delaware, in Deed Book 4188, Page 161, *et seq.*, as amended by the FIRST AMENDMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PINE BAY, Section of Country Manor, of record in the Office of the Recorder of Deeds in and for Sussex County, State of Delaware, in Deed Book 5350, Page 1, *et seq.* hereinafter collectively referred to as the "Declaration", applicable to all properties in the Pine Bay Section of Country Manor, as more fully set forth in the Declaration;

WHEREAS, the Association is desirous of amending certain restrictions in the Declaration, as provided herein;

WHEREAS, the Members (as defined in the Declaration) of the Association, pursuant to Article V, Section 2, of the Declaration, by vote of at least two-thirds (2/3) of the Members of the Association, provided approval of the amendment to the Declaration as contained herein;

WHEREAS, the amendment has been proposed and approved in accordance with the terms and conditions of the Declaration and affirmed in the Certification attached hereto as Exhibit "A", by and through the Association's undersigned officers, who caused this instrument to be signed and recorded among the aforesaid land records to amend the Declaration as set forth below; and

NOW THEREFORE, the Declaration is hereby amended as follows:

1. Article IV, Section 9, is hereby amended by adding the following:

Notwithstanding the roof pitch restriction, where the highest point of the main roof of a proposed Dwelling or Attached Outbuilding has reached the maximum height of building of 35 feet as measured

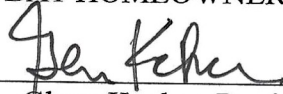
in accordance with the Amended Declaration, then any portion of the main roof that might otherwise extend above that permitted maximum height of building may exist as a flat roof segment of the main roof of that Dwelling or Attached Outbuilding, provided that (a) the cumulative area of all flat roof segments may not equal more than 10% of the area of the footprint of the Foundation of the Dwelling or Attached Outbuilding, (b) no flat roof segment may rise in elevation more than the 35 feet height of building restriction applicable to the Dwelling or Attached Outbuilding, and (c) no flat roof segment may be visible from the roadway of any Pine Bay Common Area or from the ground level of any adjacent Pine Bay Lot.

IN WITNESS WHEREOF, THE PINE BAY HOMEOWNERS ASSOCIATION, INC., a Non-Stock Corporation of the State of Delaware, have caused this SECOND AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF PINE BAY, Section of Country Manor, to be executed by their authorized officers and their corporate seals affixed hereto effective as of 31 day of January, 2025.

Corporate Seal

PINE BAY HOMEOWNERS ASSOCIATION, INC.

BY:



Glenn Kocher, President

Attest:



Leslie O'Connor, Secretary

STATE OF DELAWARE :

: ss.

COUNTY OF SUSSEX :

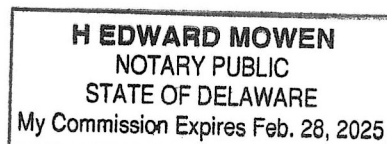
On this 31 of January, 2025, before me, a Notary Public for the State and County aforesaid, personally appeared Glenn Kocher, President of the Pine Bay Homeowners Association, Inc., party to this Amendment, known to me personally to be such, and they acknowledged this Amendment to be their act and deed and the act and deed of such Association.

GIVEN under my hand and seal of office, on the date aforesaid.



NOTARY PUBLIC

My Commission Expires: 02 28 2025



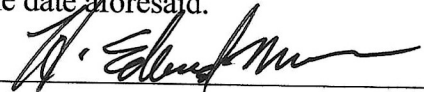
STATE OF DELAWARE :

: ss.

COUNTY OF SUSSEX :

On this 31 of January, 2025, before me, a Notary Public for the State and County aforesaid, personally appeared Leslie O'Connor, Secretary of the Pine Bay Homeowners Association, Inc., party to this Amendment, known to me personally to be such, and they acknowledged this Amendment to be their act and deed and the act and deed of such Association.

GIVEN under my hand and seal of office, on the date aforesaid.



NOTARY PUBLIC

My Commission Expires: 02 28 2025

