

9/12/94
1st meeting
elected board

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DECLARATIONS OF COVENANTS, EASEMENTS
AND RESTRICTIONS
WESTLAKE VILLAGE

THIS DECLARATION made this _____ day of _____, 1988 by
TIMBER LAKE DEVELOPMENT CORPORATION, a Pennsylvania corporation
("Declarant")

WITNESSETH:

WHEREAS, Declarant, holds title to certain real property (the
"Property") located in East Brandywine Township, County of Chester,
Commonwealth of Pennsylvania, as more particularly described in
Exhibit "A" which is attached hereto and made a part hereof;

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WHEREAS, Declarant intends to establish on the Property, and as
part of a planned residential development known as The Villages at
Timber Lake, and subject to the terms and conditions of a certain
Declaration of Covenants, Easements, and Restrictions of the Villages
at Timber Lake (the "Master Declaration"), a village, to be known as
Westlake Village, consisting of not more than 48 Living Units, as
shown as units 63 - 110, on the Development Plan, as defined herein,
with common areas and limited common areas for the benefit and
enjoyment of the residents of the development.

WHEREAS, Declarant, in order to provide for the enjoyment,
health and safety of the residents and the preservation of the
improvements constructed, or to be constructed on the Property and the
enhancement of the value of the Property, and to create the amenities
and open spaces consistent with a residential community established in
this section of East Brandywine Township and to provide for the
maintenance of both the land and the improvements, shall subject all
of the Property to the respective covenants, easements, and
restrictions herein contained and create the community known as
"Westlake Village";

WHEREAS, to provide the means for the carrying out of the full
intent and purposes of the Declarant, and East Brandywine Township,
the Declarant shall incorporate a Pennsylvania corporation to be known
as Westlake Village Homeowners' Association, Inc.

WHEREAS, this Declaration is intended to set forth the rights
and obligations of Declarant and future owners of any portion of the
property described in Exhibit "A", any mortgagees of such owners,
The Villages at Timber Lake Master Homeowner's Association, Inc. and
certain rights shall be in addition to, and shall in no way limit all
other rights of East Brandywine Twonship. Any right set forth herein
for the benefit of any party shall be subordinate to the rights of
East Brandywine Township.

NOW THEREFORE, intending to be legally bound, Declarant,
declares that the real property described in Exhibit "A" shall be
subject to the respective covenants, easements and restrictions
hereinafter set forth and all transfers, sales, conveyances or
occupancy of any part of such real estate shall also be subject to

said respective covenants, easements and restrictions.

ARTICLE I = Definitions

1.1 Approval shall mean and refer to the issuance by any public agency of written approval, or any written waiver of approval rights or a letter of "no objection".

1.2 Approved Mortgagee shall mean an institutional lender who holds a mortgage, the lien of which is senior to all other encumbrances on a Living Unit, and who has notified the Village Association of its interest in writing.

1.3 Area "B" shall mean and refer to that property described on Exhibit "B" hereof. This property shall also be referred to as the "Master Parcel", and shall be subject to additions in accordance with the Master Declaration.

1.4 Architectural Review Committee shall mean the Architectural Review Committee of the Master Association created by the Master Declaration.

1.5 Association shall mean Westlake Village Homeowner's Association, Inc. its successors, and assigns.

1.6 Association Book shall mean the document or documents containing the records, current rules, regulations, and By-Laws of the Village Association.

1.7 Board shall mean and refer to the Board of Directors of the Village Association.

1.8 Certified Notice shall mean any notice which has either: 1) been sent by certified mail, postage prepaid and either delivered to the address of the recipient or refused by the recipient or, 2) been signed for by the recipient.

1.9 Common Areas shall mean and refer to all open space as shown on the final "Title Plan" of Phase 2 of the Villages at Timber Lake, as described in Exhibit "A" hereof, excluding however the following: (a) all open space within the fee simple area of any Living Unit or other parcel of ground which has been or is intended to be conveyed, (b) all space within any Limited Common Area so designated either in this Declaration, or on a recorded "as-built" plan.

1.10 Common Area Facilities shall be deemed to include: 1) all physical improvements placed in the Common Areas, including but not limited to roadways, curbs, fencing, security facilities, maintenance buildings, storm water control facilities, 2) items of personal property including tools, mowers, trucks, tractors and other vehicles used in the maintenance, repair or securing of the Common Areas, and 3) landscaping placed in, or maintained upon the Common Areas or Limited Common Area.

1.11 Construction Lender shall mean any institutional lender who is the holder of a mortgage on any part of the Property while such area is owned by either the Declarant or the Village Association.

1.12 Declaration shall mean the current restrictions, easements, and covenants and other conditions set forth herein as they shall have been amended from time to time.

1.13 Declarant shall mean Timber Lake Development Corporation and its successors and assigns.

1.14 Development Plan shall mean that set of plans, as amended, as have been presented to and approved by the Township.

1.15 Garage shall mean those parts of the Limited Common areas designated on the Title Plan as "Garage".

1.16 Governing Documents shall mean and refer to the Articles of Incorporation, By-laws, and resolutions of the Village Association, as well as this Declaration.

