

LOT OWNERS ASSOCIATION AGREEMENT

MARY THERESA SULLIVAN, Owner and Developer of "Queen Esther Estates" in Athens Township, Bradford County, Pennsylvania, does hereby create a "Lot Owners Association" for the purpose of dealing with matters involving the Lake situate on and in the subdivision.

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1. All owners of lots in the subdivision shall upon acceptance of a deed for a lot, automatically become a member of the Association. Initially the Association shall be an unincorporated Association.

2. Upon completion of the sale and conveyance of ten (10) lots in the subdivision by the Developer, all appropriate steps will be taken by the Developer to accomplish the incorporation of the Lot Owners Association as a "Not-For-Profit" Corporation. At that time, Articles of Incorporation, together with Bylaws, shall be prepared for the Corporation. Such documents shall provide that all owners of lots in the subdivision shall be members of the Association. The owner or owners of each lot shall constitute one "member" of the Association, with one vote accompanying the ownership of each lot.

3. Prior to the incorporation of the Lot Owners Association, the Developer, Mary Theresa Sullivan, shall own the lake and the surrounding area as shown on the plot and survey of the subdivision as prepared by Hunt Architects and Engineers, and shall be responsible for the maintenance thereof. Following

the sale of ten (10) lots, the Developer shall by deed convey the lake and surrounding area as shown on said plot to the Lot Owners Association. Following said conveyance, the Lot Owners Association shall be responsible for the maintenance of the lake and the surrounding area, including the dam.

4. The Association shall be responsible for the maintenance and upkeep of all private drainage facilities, including swales and the detention pond. In general, the Association shall be responsible for the maintenance and/or replacement of all community-owned property and equipment.

The owners of lots abutting the private street in the subdivision as shown on the maps thereof shall be responsible for maintenance of said private street. More specifically, those lots are numbered 60, 61 and 62.

5. Privileges of the lake shall be restricted to lot owners and their invited guests. Use of the lake shall be subject to the following conditions:

- a. No area of the lake or of the surrounding land may be used as a public beach.
- b. No area of the lake or of the surrounding land may be used for any commercial enterprise.
- c. No docks may be constructed around the lake.
- d. No motor boats or boats with motors attached may be placed on or used in the lake.
- e. The lake is to be used for swimming, fishing, skating, and any similar recreational use.

6. Following the incorporation of the Lot Owners Association and the assumption by it of the ownership and responsibility for the lake and other areas as hereinabove set forth, all costs involved in the maintenance and upkeep of the Lake and other areas shall be apportioned among the membership on a pro rata basis, and the ownership of each lot shall equal one share of responsibility. Should any lot be at any time subdivided, the responsibility for that lot shall be prorated accordingly. Billings shall be done on a quarterly basis, by written notice mailed or hand-delivered. If any costs so apportioned and allocated shall not be paid by a member within thirty (30) days of the delivery of a billing therefore, the Lot Owners Association shall take appropriate legal action for the collection of said bills.

7. The Articles of Incorporation and/or the Bylaws of the Corporation shall make provision for a Board of Directors of the Association, its powers and duties, and for all other matters of governance of the Association. The actual content of the Articles of Incorporation and of the Bylaws shall be the sole right and responsibility of the Developer. The Developer will, however, consult with the then-members of the unincorporated Lot Owners Association for their input into such matters. It is understood and agreed, however, that the provisions contained herein for assigning responsibility for common areas to the Association and for the billing of charges for same and for the collection of unpaid bills shall all be incorporated into said

By-laws.

This Agreement is created by the Developer, is intended to benefit all owners of the lots in the Queen Esther Estates Subdivision and also the Township of Athens in general, and therefore, the Developer, Mary Theresa Sullivan, and a duly authorized representative of Athens Township, acting on behalf of the Township and for future lot owners, have hereunto caused this Agreement to be executed this 26th day of June, 1989.

Sworn & subscribed before me
this 26 day of June 1989

Gerald A. Kinchy
Witness

NOTARIAL SEAL
GERALD A. KINCHY, NOTARY PUBLIC
SAYRE BORO, BRADFORD CO., PA
COMMISSION EXPIRES MAY 20, 1991

Mary Theresa Sullivan
Mary Theresa Sullivan

TOWNSHIP OF ATHENS by

RJL/eh
85-889
060888

State of Pennsylvania } ss
County of Bradford
Entered and recorded in the office for the Recording
of Deeds, etc. in and for said County and State, on
the 26th day of June
A.D. 1989 In Record book 118 P 9435
Witness my hand and Official Seal, the date
aforesaid.
Recorder of Deeds
Shirley Rockefeller

RECORDED
BRADFORD COUNTY
09 JUN 26 PM 2:34
SHIRLEY ROCKEFELLEN
RECORDER