

AMENDED
SUPPLEMENTAL DECLARATION
SAND SPRING RUN DECLARATION

Allegany Coal and Land Company, a Maryland corporation ("Company"), hereby supplements the Declaration of Covenants, Conditions and Restrictions of Sand Spring Run Subdivision dated October 21, 2002 and recorded October 30, 2002 among the Land Records of Allegany County, Maryland in Book 0710, page 504 and following ("Declaration"). Allegany Coal and Land Company is the owner of additional land in Frostburg, Allegany County, Maryland more particularly described as follows:

ALL that piece or parcel of land bordering on the westerly margins of Sand Spring Subdivision (Plat No. 1707), Election District No. 28, Frostburg, Allegany County, Maryland, and being more particularly described as follows (NAD 83 and horizontal measurements being used thru out) to wit:

Parcel 1

BEGINNING for the same at a point standing along the 4th line of a tract of land owned by C. Michael Caton recorded in Deed Liber 1541, folio 607, dated November 24, 2008, said point also standing at the end of the 4th line of Annexation Resolution No. 59 recorded in Deed Liber 691, folio 769, dated March 30, 2001, all of which being recorded among the Land Records of Allegany County, Maryland, thence running with new division lines thru the whole tract of which this a part for the next 12 courses and distances;

1. with a curve to the right having a arc length of 193.92 feet, and a radius of 949.81 feet, and being subtended by a chord bearing South 88 degrees 04 minutes 55 seconds West, having a chord length of 193.58 feet to a point, thence;
2. South 16 degrees 15 minutes 47 seconds West for a distance of 84.81 feet to a point, thence;
3. South 02 degrees 10 minutes 57 seconds West for a distance of 52.02 feet to a point, thence;
4. South 41 degrees 03 minutes 33 seconds West for a distance of 67.51 feet to a point, thence;
5. South 59 degrees 08 minutes 57 seconds West for a distance of 64.63 feet to a point, thence;

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Parcel 1

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1. with a curve to the right having a arc length of 193.92 feet, and a radius of 949.81 feet, and being subtended by a chord bearing South 88 degrees 04 minutes 55 seconds West, having a chord length of 193.58 feet to a point, thence;
2. South 16 degrees 15 minutes 47 seconds West for a distance of 84.81 feet to a point, thence;
3. South 02 degrees 10 minutes 57 seconds West for a distance of 52.02 feet to a point, thence;
4. South 41 degrees 03 minutes 33 seconds West for a distance of 67.51 feet to a point, thence;
5. South 59 degrees 08 minutes 57 seconds West for a distance of 64.63 feet to a point, thence;

6. North 84 degrees 38 minutes 01 seconds West for a distance of 139.68 feet to a point, thence;
7. North 80 degrees 15 minutes 30 seconds West for a distance of 286.76 feet to a point, thence;
8. North 20 degrees 35 minutes 35 seconds West for a distance of 634.90 feet to a point, thence;
9. North 59 degrees 22 minutes 31 seconds East for a distance of 28.73 feet to a point, thence;
10. North 31 degrees 21 minutes 40 seconds West for a distance of 675.45 feet to a point, thence;
11. North 32 degrees 39 minutes 50 seconds West for a distance of 246.80 feet to a point, thence;
12. North 42 degrees 54 minutes 39 seconds West for a distance of 125.65 feet to a point standing at the end of the 3rd line of a tract of land owned by Chris L. Hovatter and Alice M. Hovatter recorded in Deed Liber 1210, folio 272, dated August 29, 2005, recorded among the Land Records of Allegany County, Maryland, thence running with a portion of said line, reversed;
13. North 42 degrees 10 minutes 10 seconds West for a distance of 125.24 feet to a point, thence leaving the aforesaid line and running with the easterly lot line of a tract of land owned by Allegany Coal and Land Company recorded in Deed Liber 686, folio 090, dated July 18, 2000, recorded among the Land Records of Allegany County, Maryland;
14. North 35 degrees 34 minutes 11 seconds East for a distance of 227.31 feet to a point standing along a proposed 50' wide right of way, thence running with the westerly margin of said right of way;
15. North 30 degrees 28 minutes 10 seconds West for a distance of 384.96 feet to a point standing at the intersection of the easterly right of way margin of Braddock Road and the aforesaid proposed right of way, thence running with said Braddock Road right of way margin for the next 2 courses and distances;
16. North 29 degrees 39 minutes 35 seconds East for a distance of 57.66 feet to a point, thence;
17. South 30 degrees 28 minutes 10 seconds East for a distance of 6.42 feet to a point, thence leaving the aforesaid right of way (Braddock Road) margin and running with the 3rd and 2nd lines of a tract of land owned by Randy K. Miller recorded

in Deed Liber 616, folio 995, dated April 25, 1993 and the 3rd line of a tract of land owned by Marc Michael and Beth Stallings recorded in Deed Liber 707, folio 027, dated July 15, 2002, all of which being recorded among the Land Records of Allegany County, Maryland, reversed;

18. South 30 degrees 28 minutes 10 seconds East for a distance of 385.04 feet to a point, thence;
19. North 35 degrees 34 minutes 11 seconds East for a distance of 408.84 feet to a point standing at the southeasterly end of a 15 foot alley, thence with the southeasterly side of said alley;
19. North 35 degrees 34 minutes 11 seconds East for a distance of 40.37 feet to a point standing along the aforesaid alley, thence leaving said alley and running across a 15 foot drainage easement as shown on a recorded subdivision plat entitled "Sand Spring Run Subdivision", Plat no. 1707, dated October 15, 2002, as recorded among the Plat Records of Allegany County, Maryland;
20. South 54 degrees 36 minutes 29 seconds East for a distance of 15.00 feet to a point at the end of the 4th line of the SWM Pond 2 Limits as shown on the aforesaid subdivision plat (Plat No. 1707), thence running with the 4th, 3rd, and part of the 2nd lines reversed;
21. North 39 degrees 52 minutes 27 seconds East for a distance of 255.86 feet to a point, thence;
22. South 54 degrees 27 minutes 31 seconds East for a distance of 35.78 feet to a point, thence;
23. North 35 degrees 34 minutes 36 seconds East for a distance of 148.98 feet to a point standing at the end of the 5th line of Lot 25 of the aforesaid subdivision (Plat No. 1707), thence running with all of the 5th line and part of the 4th line, reversed;
24. South 54 degrees 10 minutes 58 seconds East for a distance of 109.95 feet to a point, thence;
25. North 35 degrees 49 minutes 12 seconds East for a distance of 14.00 feet to a point standing at the southwesterly end of a 50' right of way as shown on the aforesaid subdivision (Plat No. 1707), thence running along the southwesterly end of said right of way;
26. South 62 degrees 05 minutes 47 seconds East for a distance of 50.48 feet to a point standing at the point of beginning of Lot 24 of the aforesaid subdivision (Plat No. 1707), thence running with the rear lot lines of Lot 24 thru 19, Lot 1A, Lot 18 thru 16-A, and part of Lot 15-A;

27. South 35 degrees 49 minutes 43 seconds West for a distance of 97.62 feet to a point, thence;
28. South 53 degrees 21 minutes 25 seconds East for a distance of 145.03 feet to a point, thence;
29. South 35 degrees 49 minutes 02 seconds West for a distance of 200.29 feet to a point, thence;
30. South 06 degrees 46 minutes 18 seconds West for a distance of 251.89 feet to a point, thence;
31. South 29 degrees 09 minutes 47 seconds East for a distance of 667.08 feet to a point, thence;
32. South 64 degrees 04 minutes 04 seconds East for a distance of 10.00 feet to a point standing at the end of the 15th line of the SWM Pond 1 Limits as shown on the aforesaid subdivision plat (Plat no. 1707), thence running with the 15th thru the 8th lines of said SWM Limits, reversed;
33. South 07 degrees 20 minutes 20 seconds West for a distance of 100.12 feet to a point, thence;
34. South 60 degrees 13 minutes 49 seconds West for a distance of 44.55 feet to a point, thence;
35. South 60 degrees 13 minutes 49 seconds East for a distance of 69.06 feet to a point, thence;
36. South 69 degrees 00 minutes 23 seconds East for a distance of 48.83 feet to a point, thence;
37. South 69 degrees 00 minutes 23 seconds East for a distance of 61.38 feet to a point, thence;
38. North 46 degrees 28 minutes 04 seconds East for a distance of 26.17 feet to a point, thence;
39. South 71 degrees 48 minutes 58 seconds East for a distance of 85.23 feet to a point, thence;
40. South 18 degrees 11 minutes 02 seconds West for a distance of 10.70 feet to a point, thence;

41. South 77 degrees 31 minutes 36 seconds East for a distance of 50.25 feet to a point, thence;
42. North 18 degrees 11 minutes 02 seconds East for a distance of 20.00 feet to a point standing at or near the end of the 3rd line of a tract of land owned by Varis Ransibrahmanakul recorded in Deed Liber 1468, folio 039, dated January 23, 2008, recorded among the Land Records of Allegany County, Maryland and standing on the Allegany Coal and Land Company boundary line, thence running with said boundary line;
43. South 09 degrees 48 minutes 52 seconds East for a distance of 863.96 feet, more or less, to the place of beginning, containing 41.20 acres, more or less.

Parcel 2

BEGINNING for the same at a point standing along the 3rd line of a tract of land owned by Jaron L. Hawkins and Jacqueline A. Hawkins (Parcel 1) recorded in Deed Liber 1401, folio 547, dated June 29, 2007, said point also standing on the Allegany Coal and Land Company boundary line, thence running with said boundary line;

1. North 77 degrees 06 minutes 33 seconds West for a distance of 47.86 feet to a point standing at the end of the 6th line of of the SWM Pond 1 limits as shown on a recorded subdivision plat entitled "Sand Spring Run Subdivision", Plat No. 1707, dated October 15, 2002, as recorded among the Plat Records of Allegany County, Maryland, thence running with the 6th thru the 2nd lines of said SWM limits, reversed;
2. South 18 degrees 11 minutes 02 seconds West for a distance of 4.41 feet to a point, thence;
3. North 71 degrees 48 minutes 58 seconds West for a distance of 79.91 feet to a point, thence;
4. North 46 degrees 28 minutes 04 seconds East for a distance of 70.51 feet to a point, thence;
5. North 70 degrees 04 minutes 07 seconds West for a distance of 77.02 feet to a point, thence;
6. North 80 degrees 14 minutes 37 seconds East for a distance of 125.00 feet to a point standing at the end of the 4th line of Lot 15 of the aforesaid subdivision (Plat No. 1707), thence running with said line, reversed;
7. South 09 degrees 48 minutes 52 seconds East for a distance of 129.32 feet, more or less, to the place of beginning, containing 0.23 acres, more or less.

ALL OF THE ABOVE described parcels being part of the same property conveyed by deed dated December 17, 1986 from the First National Bank of Maryland, Trustee under a Revocable Trust Agreement for the benefit of Linda J. Good, the First National Bank of Maryland, Trustee under a Revocable Trust Agreement for the benefit of Ann Jenkins, the First National Bank of Maryland, Trustee under a Revocable Trust Agreement for the benefit of Cathy J. McFawn and Robert H. Evans, Administrator Cum Testamento Annexo of the Estate of W. Stephen Jenkins to Allegany Coal and Land Company and recorded in Deed Liber 561, folio 618, among The Land Records of Allegany County, Maryland.

TOGETHER WITH AND SUBJECT TO any restrictions, reservations, covenants, right of ways, et cetera as of record.

Allegany Coal and Land Company hereby declares the above-described property as subject to the Declaration.

The Company is in the process of having a subdivision of Sand Spring Run Subdivision Section 2 reviewed and approved. Section 2 will be developed in stages. As the subdivision plats are approved and recorded for each stage, the common area as shown on the plat shall be so dedicated and deeded to the Sand Spring Run Homeowner's Association, Inc. and a vote or votes assigned to each lot as provided in the Declaration.

The Declaration is modified for lots in Sand Spring Run Subdivision Section 2 only as follows:

a. Article VIII, Section 1 shall read as follows:

The Lots and any building or structure now or hereafter erected on a Lot shall be occupied and used for single family residence and townhouse residence purposes only, and no building shall be erected, altered, placed, or permitted to remain on any Lot other than one detached single family dwelling house or four (4) town houses not to exceed three stories in height, with or without a private one or two car garage, except that real estate sales, management, and construction offices may, with the prior written consent of the Company, be erected, maintained, and operated on any Lot or in any building or structure now or hereafter erected on any Lot provided the offices are used solely in connection with the development of the Property or the construction of improvements on the Property, or the management, rental, or sale of any part of the Property, or of improvements now or hereafter erected thereon.

b. Article VIII, Section 4 shall read as follows:

No dwelling house or town house unit shall be permitted on any Lot whose cost of construction would be less than One Hundred Fifty Thousand Dollars (\$150,000.00) had the structure been built on the date The Declaration was first recorded (October 30, 2002) among the Land Records of the jurisdiction referred to above. The ground floor area of the structure, exclusive of one story open porches and garages, shall not be less than one thousand six hundred square feet for a one-story dwelling house, and not less than eight hundred square feet for a dwelling house of more than one story. For split level dwelling houses, the ground cover area shall not be less than one thousand four hundred square feet.

ATTEST:

Allegany Coal and Land Company

Barbara Knotts

By W. Stephen Jenkins
W. Stephen Jenkins

STATE OF MARYLAND,
ALLEGANY COUNTY, TO-WIT:

I HEREBY CERTIFY that on this 17th day of October, 2019, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **W. Stephen Jenkins**, who acknowledged himself to be Co-President of Allegany Coal and Land Company, and that he as such Co-President being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as Co-President.

WITNESS my hand and Notarial Seal the day and year last above written.

My Commission Expires: 05/23/2022

Barbara Knotts
NOTARY PUBLIC

LR - Amendment
Recording Fee 20.00
Name: allegany coal
Ref:
LR - Amendment
Surcharge 40.00
=====
SubTotal: 60.00
=====
Total: 60.00
10/24/2019 01:39
CC01-MB
#12901936 CC0401 -
Allegany
County/CC04.01.01 -
Register 01

ATTEST:

Allegany Coal and Land Company

Barbara Knott

By Cathy MacFawn
Cathy MacFawn

STATE OF MARYLAND,
ALLEGANY COUNTY, TO-WIT:

I HEREBY CERTIFY that on this 17th day of October, 2019, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Cathy MacFawn**, who acknowledged herself to be Co-President of Allegany Coal and Land Company, and that she as such Co-President being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by herself as Co-President.

WITNESS my hand and Notarial Seal the day and year last above written.

My Commission Expires: 05/23/2022

Barbara Knott
NOTARY PUBLIC

THIS IS TO CERTIFY that the within instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

John J. Coyte, Jr.
John J. Coyte, Jr.