

SECOND AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS,  
CONDITIONS, RESTRICTIONS, EASEMENTS, CHARGES AND LIENS

CHARLOTTE SQUARE TOWNHOMES HOMEOWNERS ASSOCIATION, INC.

This Instrument made this <sup>th</sup> 18 day of March, 2024, is the Second Amendment to that certain Declaration of Protective Covenants, Conditions, Restrictions, Easements, Charges and Liens, recorded in the Monroe County Clerk's Office in Book 11989 of Deeds, Page 262 on February 23, 2018, as amended by that certain First Amendment to Declaration of Protective Covenants, Conditions, Restrictions, Easements, Charges and Liens and Subordination Agreement, recorded in the Monroe County Clerk's Office in Book 12011 of Deeds, Page 615 on April 16, 2018 (as amended, the "Declaration").

WITNESSETH:

WHEREAS, the Declaration encumbers that certain real property described in Schedule A (the "Property"); and

WHEREAS, the Declaration established the Charlotte Square Townhomes Homeowners Association, Inc., a New York not-for-profit corporation (the "Association"); and

WHEREAS, Charlotte Square Homes LLC, a New York limited liability company (the "Sponsor") has transferred its ownership of all lots within the Property; and

WHEREAS, the Association, through its Board of Directors (the "Board") wishes to amend the Declaration pursuant to the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of mutual covenants below set forth and for other good and valuable consideration the parties declare as follows:

1. Article X, Section 10.26 of the Declaration is deleted in its entirety and replaced with the following:

Section 10.26. Leasing of Homes. Owners of Lots may lease their Homes to anyone for residential purposes. All leases must be at least 3 months in length. Owners who reside in their Home may lease a portion of their Home to accommodate a roommate (each, a "Roommate", and collectively "Roommates"). Roommates shall have no voting rights and shall have no property rights except those expressly provided in this Declaration. Roommates shall be responsible for complying with this Declaration and following all Association rules and by-laws. Any lease must be on the form prescribed by the Association prior to the tenant or Roommate taking occupancy. All tenant or Roommate contact information, including information on cars and pets, must be provided to the Association by the Owner.

Notwithstanding the foregoing, Owners are permitted to enter into short-term leases. These leases must have a minimum duration of 5 days and shall not exceed a total of 14 days per calendar year. Executed copies of all leases must be delivered to the Association prior to

the short-term tenant taking occupancy, with the same additional information as set forth in the preceding paragraph.

New Owners shall have a waiting period of 2 years from the date of purchase before leasing their Home. Notwithstanding the foregoing, the waiting period requirement shall not apply in the case of new Owners leasing a portion of their Home to a Roommate as provided above.

Any costs or expenses incurred due to the violation of the provisions contained in this Section 10.26, including attorney's fees, shall be borne by the violating Owner, not the Association.

2. The Board certifies that in compliance with Section 11.07 of the Declaration, (i) Owners received proper notice of the proposed amendment. (ii) the Owners of all Lots subject to the Declaration unanimously have approved and consented to this Amendment and (iii) the approvals and consents required for this Amendment have been received and filed with the Board.

3. In compliance with Section 11.08 of the Declaration, the Board executes this Amendment certifying its contents, and files the same in the Monroe County Clerk's Office.

IN WITNESS WHEREOF, the undersigned being all of the Members of the Charlotte Square Townhomes Homeowners Association, Inc. Board of Directors caused this Amendment to be signed the day above written and direct this Amendment to be recorded in the Monroe County Clerk's Office as an Amendment to the Declaration.

ASSOCIATION:

CHARLOTTE SQUARE TOWNHOMES  
HOMEOWNERS ASSOCIATION, INC.

By: Linda Reilly  
Name: Linda Reilly  
Title: Member of the Board of Directors, and  
President

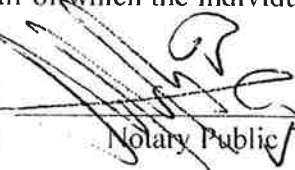
By: Keith Reas  
Name: Keith Reas  
Title: Member of the Board of Directors, and  
Vice-President/Treasurer

By: Liz Chafik  
Name: Liz Chafik  
Title: Member of the Board of Directors, and  
Secretary

STATE OF NEW YORK)  
COUNTY OF MONROE) ss.:

On the 23 day of Feb in the year 2024 before me, the undersigned, personally appeared Linda Reilly, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

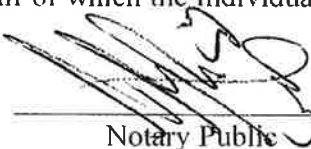
JOSEPH K BATARSEH  
Notary Public - State of New York  
NO. 01BA6382231  
Qualified in Monroe County  
My Commission Expires Oct 22, 2026

  
\_\_\_\_\_  
Notary Public

STATE OF NEW YORK)  
COUNTY OF MONROE) ss.:

On the 23 day of Feb in the year 2024 before me, the undersigned, personally appeared Keith Reas, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

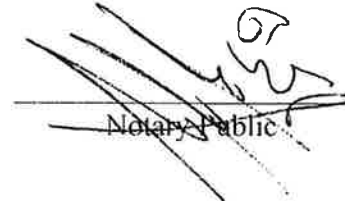
JOSEPH K BATARSEH  
Notary Public - State of New York  
NO. 01BA6382231  
Qualified in Monroe County  
My Commission Expires Oct 22, 2026

  
\_\_\_\_\_  
Notary Public

STATE OF NEW YORK)  
COUNTY OF MONROE) ss.:

On the 23 day of Feb in the year 2024 before me, the undersigned, personally appeared Liz Chafik, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

JOSEPH K BATARSEH  
Notary Public - State of New York  
NO. 01BA6382231  
Qualified in Monroe County  
My Commission Expires Oct 22, 2026

  
\_\_\_\_\_  
Notary Public