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Prepared by & Return to:
Sergovic, Ellis & Shirey, P.A.
9 North Front Street
Georgetown, DE 19947

**SECOND AMENDMENT TO RESTRICTIONS FOR SUBDIVISION
OF LANDS OF THE ESTATE OF J. HOWARD ISAACS,
ALSO KNOWN AS SOUTHERN POINTE SHORES**

THIS SECOND AMENDMENT to the Restrictions for Subdivision of Lands of the Estate of J. Howard Isaacs, also known as Southern Pointe Shores, made this 7th day of August, A.D. 2007 is intended to amend the original Restrictions dated November 26, 2003, and recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 2918 at page 307, and First Amendment to Restrictions of record in Deed Book 3025 at page 291.

1. The Declarants hereby delete Paragraph 17 in its entirety and substitute in lieu thereof the following:

17. Anything herein contained to the contrary notwithstanding, the Declarants hereby expressly reserve the right at any time to change or modify the restrictions, covenants, agreements or provisions of the lots contained herein or shown upon said Plan without leave of the lot owners until such time as Declarants have sold seventy-five percent (75%) of the lots. Provided, however, that any such modification or change shall not impact Lot 7 by modifying the lot lines, nor encumber Lot 7 with additional easements, once sold to a third party purchaser. In addition, the owners of more than seventy-five percent (75%) of the said lots may change, modify or amend the restrictions contained herein at any time, by appropriate instrument duly executed and recorded, provided, however, that so long as the Declarants are the owners of any of the said lots or open space or any other portion of Southern Pointe Shores, this Declaration may not be changed, altered, modified, amended or extinguished without the written approval of the Declarants.

2. The Declarants hereby delete Paragraph 18 in its entirety and substitute in lieu thereof the following:

18. Declarants reserve unto themselves the right to modify, change or amend the Record Plan of Southern Pointe Shores. By accepting a deed, each lot owner shall be deemed to have appointed Declarants as their attorney-in-fact coupled with an interest for the sole and limited purpose of modifying the Record Plan for Southern Pointe Shores and Declarants shall be authorized to sign such modified Plan on behalf of each and every lot owner. Provided, however, that Declarant shall not modify the lot lines of Lot 7, nor encumber Lot 7 with additional easements, once sold to a third party purchaser.

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3. In all other regards, the heretofore recorded and original Restrictions shall remain the same until they may be amended in accordance with Paragraph 17 therein.

IN WITNESS WHEREOF, Declarants have hereunto executed this Second Amendment to the Declaration of Restrictions the day and year first above written.

Gina M. Pepper
WITNESS
Gina M. Pepper
WITNESS

Howard I. Pepper (SEAL)
HOWARD I. PEPPER
Mark J. Wells (SEAL)
MARK J. WELLS

STATE OF DELAWARE
COUNTY OF SUSSEX

SS.

RECORDER OF DEEDS
JOHN F. BRADY
08/28/2007 11:09A
SUSSEX COUNTY
DOC. SURCHARGE PAID

BE IT REMEMBERED, that on this 7th Day of August, 2007, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, HOWARD I. PEPPER and MARK J. WELLS, parties to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their deed.

GIVEN under my Hand and Seal of Office, the day and year aforesaid.

Gina M. Pepper
NOTARY PUBLIC
GINA M. PEPPER
NOTARY PUBLIC
STATE OF DELAWARE
MY COMMISSION EXP.: 5-30-08

RECEIVED

AUG 29 2007

**ASSESSMENT DIVISION
OF SUSSEX COUNTY**