

ERIE COUNTY

AMENDMENT TO AMENDED SUPPLEMENTAL DECLARATION CLERK'S OFFICE OF PROTECTIVE COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, CHARGES AND LIENS -- FOREST EDGE

-- FOREST EDGE (THE FOREST EDGE DECLARATION)

This instrument made this 141 day of 2021, is an Amendment to the Amended Supplemental Declaration of Protective Covenants, Conditions, Restrictions, Easements, Charges and Liens - Forest Edge Cluster Association, Inc. (the Declaration) which was recorded in the Erie County Clerk's Office in Liber 010000, Page 103 on March 27, 1989.

WITNESSETH:

WHEREAS, the Board of Directors of the Forest Edge Cluster Association, Inc. certify that pursuant to Section 10.07 of said Declaration, the applicable provisions of the Declaration have been followed herein or are specifically waived by each and every Owner; and

WHEREAS, Owners of 67% or more of the total number of Units have approved this Amendment and no lending institutions have objected to the Amendment; and

NOW THEREFORE, the Declaration Article X is hereby amended to add the following new Section 9.10: **NO UNITS MAY BE LEASED**.

Effective upon recording of this Amendment, all Units must be Owner occupied. No Units may be leased except by current Owners of record as of the date of recording of this Amended Supplemental Declaration. Upon the transfer of the Unit to a new Owner, the Unit must be Owner occupied.

An Owner who has deeded their Unit to another party for estate planning purposes, and continues to reside in the Unit, will still be considered an Owner for the purpose of that Unit being considered "owner occupied."

Immediate family members living in a Unit will be considered "owner occupied" Units.

New Text is in bold.

Pursuant to Section 10.09 of the Declaration, there is attached to this Amendment a certification of the Board of Directors of the Association certifying that the required consents of 67% or more of the Members have been received and filed with the Board of Directors.

FOREST EDGE CLUSTER ASSOCIATION, INC.

By: Roll Vilan

STATE OF NEW YORK

)SS.:

COUNTY OF ERIE

On the Mth day of Secenber in the year 2021, before me, the undersigned, personally appeared Repert Vitaria, 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/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Wotary Public

KATHRYN B. SHOREY Erie County, State of New York Commission & 018H6140462 My Comm. Expires January 30, 2022

CERTIFICATION OF RECEIPT OF CONSENT OF MEMBERS

The u	ndersigned being	ath, majority of the members of the Board of
Directors of the Fore	st Edge Cluster Associ	iation, Inc., (the Association) do hereby certify
pursuant to Section 1	0.09 of the Forest Edg	e Cluster Association, Inc. Declaration recorded in
the Erie County Clerl	k's Office in Liber 010	2000 Page 103 that
and Eric County Citi	k s office in Liber of	7000, 1 age 103, that
1.	Consents to the abov	re amendment have been received from the Owners of
		en filed with the Board of Directors;
		on mod with the Board of Birotons,
2.	The number of Own	ers consenting thereto exceeds the minimum number
2,		ursuant to Section 10.07 of the Declaration;
	and	assume to section 10.07 of the sectaration,
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3.	No lending institutio	ns have objected to the amendment.
5.	110 lending maniano	is have objected to the amendment.
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STATE OF NEW YORK)		
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COUNTY OF ERIE)		
On the 14th	_ day of 1	in the year 2021, before me, the undersigned	1,
personally appeared Pobert	J. Vitan.	, personally known to me or proved to me on the basis	
of satisfactory evidence to l	e the indi	ividual whose name is subscribed to the within instrument	
and acknowledged to me th	at he/she	executed the same in his/her capacity, and that by his/her	
signature on the instrument	, the indiv	vidual, or the person upon behalf of which the individual	
acted, executed the instrum		· -	
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		Kathern Vallacies	
		Notary Public	=1
		Erie County, State of New York	
STATE OF NEW YORK)	Commission # 018H6140462	
)\$S.:	My Comm. Expires January 30, 2022	
COUNTY OF ERIE	Ś		
On the 147.	√ day of	December in the year 2021, before me, the	
undersigned, personally app	peared Tu	LIAUNE TORRES, personally known to me or	
proved to me on the basis o	f satisfact	tory evidence to be the individual whose name is subscribed	d
		ledged to me that he/she executed the same in his/her	
capacity, and that by his/he	r signatur	e on the instrument, the individual, or the person upon	
behalf of which the individual	ual acted,	executed the instrument.	
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		Kathenderkir	
		Notary Public	-
STATE OF NEW YORK)	KATHEYN B. SLIDBEY	
)SS.:	Erie County, State of India York	
COUNTY OF ERIE	Ś	Commissión 48 5 (2116) 40-62	
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on the basis of satisfactory	evidence t	to be the individual whose name is subscribed to the within	ì
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by his/her signature on the	instrumen	t, the individual, or the person upon behalf of which the	
individual acted, executed t	he instrun	nent.	
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STATE OF NEW YORK)
COUNTY OF ERIE)SS.:)
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	Lather Albane
	Notary Public
STATE OF NEW YORK)	KATHRYM B. SHOREY Erie County, State of New York Commission # 01546140462
COUNTY OF ERIE)	S.: Commission # 018h6140462 My Comm. Expires January 30, 2022
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to the within instrument and ack	nowledged to me that he/she executed the same in his/her
capacity, and that by his/her sign	nature on the instrument, the individual, or the person upon
behalf of which the individual a	
	Notary Public

Box 374 (RSS)

AMENDMENT TO DECLARATION

FOREST EDGE CLUSTER ASSOCIATION, INC.

Dated: <u>Recember</u> 14, 2021

Ronald S. Shubert, Esq. Phillips Lytle, LLP One Canalside 125 Main Street Buffalo, New York 14203

Doc #9949666.1