

AMENDMENT TO AMENDED SUPPLEMENTAL DECLARATION
OF PROTECTIVE COVENANTS, CONDITIONS, RESTRICTIONS,
EASEMENTS, CHARGES AND LIENS
-- FOREST EDGE
(THE FOREST EDGE DECLARATION)

This instrument made this 14th day of December 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: Robert J. Vitale

STATE OF NEW YORK)
)SS.:
COUNTY OF ERIE)

On the 14th day of December in the year 2021, before me, the undersigned, personally appeared ROBERT J. VITALE, 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.

Kathryn B. Shorey

Notary Public

KATHRYN B. SHOREY
Erie County, State of New York
Commission # 01SH6140462
My Comm. Expires January 30, 2022

CERTIFICATION OF RECEIPT OF CONSENT OF MEMBERS

The undersigned being all, X majority of the members of the Board of Directors of the Forest Edge Cluster Association, Inc., (the Association) do hereby certify pursuant to Section 10.09 of the Forest Edge Cluster Association, Inc. Declaration recorded in the Erie County Clerk's Office in Liber 010000, Page 103, that

1. Consents to the above amendment have been received from the Owners of the Lots and have been filed with the Board of Directors;
2. The number of Owners consenting thereto exceeds the minimum number required to amend pursuant to Section 10.07 of the Declaration;
and
3. No lending institutions have objected to the amendment.

By Robert J. Stange

By Johanni Torres

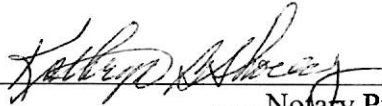
By L Patricia Bax

By Kevin B. Wylk

By _____

STATE OF NEW YORK)
)SS.:
COUNTY OF ERIE)

On the 14th day of DECEMBER in the year 2021, before me, the undersigned, personally appeared ROBERT J. VITANZO, 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.



Notary Public
KATHRYN B. SHONEY
Erie County, State of New York
Commission # 01SH6140462
My Comm. Expires January 30, 2022

STATE OF NEW YORK)
)SS.:
COUNTY OF ERIE)

On the 14TH day of DECEMBER in the year 2021, before me, the undersigned, personally appeared JULIANNE TORRES, 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.



Notary Public
KATHRYN B. SHONEY
Erie County, State of New York
Commission # 01SH6140462
My Comm. Expires January 30, 2022

STATE OF NEW YORK)
)SS.:
COUNTY OF ERIE)

On the 14TH day of DECEMBER in the year 2021, before me, the undersigned, personally appeared L. PATRICIA BARRA 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.



Notary Public
KATHRYN B. SHONEY
Erie County, State of New York
Commission # 01SH6140462
My Comm. Expires January 30, 2022

KATHRYN B. SHONEY
Erie County, State of New York
Commission # 01SH6140462
My Comm. Expires January 30, 2022 - 4 -

STATE OF NEW YORK

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)SS.:

COUNTY OF ERIE

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On the 14th day of December in the year 2021, before me, the undersigned, personally appeared SUSAN B. WRIGHT, 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.



Notary Public

STATE OF NEW YORK

)

)SS.:

COUNTY OF ERIE

)

KATHRYN B. SHOREY
Erie County, State of New York
Commission # 01SH6140462
My Comm. Expires January 30, 2022

On the _____ day of _____ in the year 2021, before me, the undersigned, personally appeared _____, 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.

Notary Public

Box 374 (RSS)

AMENDMENT TO DECLARATION

FOREST EDGE CLUSTER
ASSOCIATION, INC.

Dated: December 14, 2021

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

Doc #9949666.1