

***Second Amendment***  
***to the***  
***Declaration of Covenants, Conditions, and Restrictions***  
***and By-Laws***  
***of Fox Chase Plan of Lots,***  
***A Limited Planned Community***

**Location: North Strabane Township and Washington County, Pennsylvania**

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***Second Amendment  
to the  
Declaration of Covenants, Conditions,  
and Restrictions and By-Laws of Fox Chase  
Plan of Lots, A Limited Planned Community  
("Foxchase Bylaws")***

**Location: North Strabane Township, Washington County, Pennsylvania**

WHEREAS, on October 14, 2022, the Foxchase Homeowners Association Board ("Foxchase HOB") issued an annual newsletter ("2022 Annual Newsletter") that was distributed to all members of the Foxchase Homeowners Association ("Foxchase HOA");

WHEREAS, the 2022 Annual Newsletter notified members of the Foxchase HOA that the annual meeting of the Foxchase HOA ("Annual Meeting") was scheduled to be held on Thursday, November 17, 2022 at 7:00 p.m. in the North Strabane Municipal Building, 1929 Route 519;

WHEREAS, the 2022 Annual Newsletter enclosed a Proxy form for those unable to attend the Annual Meeting, along with instructions for how to submit said Proxy form to the HOB;

WHEREAS, the 2022 Annual Newsletter also enclosed an agenda for the Annual Meeting, which included an agenda item for the review of, and voting on, proposed "Bylaw Changes & Additional Rules" to the Foxchase Bylaws;

WHEREAS, the 2022 Annual Newsletter set forth in full the proposed changes to: Article IV, Section 5 of the Foxchase Bylaws; Article XII, Section 1.A of the of the Foxchase Bylaws; and new proposed Rule 2022.1 (collectively, the "Proposed Bylaw Changes");

WHEREAS, the Annual Meeting was held on Thursday, November 17, 2022 at the aforesaid place and time and the necessary quorum of Unit Owners, defined as the presence of members and proxies entitled to cast over thirty percent (30%) of all votes, was achieved;

WHEREAS, the Proposed Bylaw Changes passed at the Annual Meeting by unanimous vote of the Unit Owners in attendance; and

NOW THEREFORE, upon the affirmative vote of at least sixty-seven percent (67%) of the Unit Owners in attendance at the Annual Meeting, the Foxchase Bylaws are hereby amended as follows:

1. **Article IV, Section 5 of the Declaration of Covenants, Conditions and Restrictions contained in the Foxchase Bylaws is amended and replaced with the following:**

**Section 5. Specific Assessments.** In addition to the foregoing, the Board of Directors may levy specific assessments, fines, or sanctions against an individual Unit or Unit Owner where there is a particular charge attributable only to that Unit or Unit Owner or a fine or sanction has been imposed on an individual Unit or Unit Owner, as provided hereinafter. In order to do so, the Board of Directors shall provide to the Unit Owner written notice of the Board of Directors' intent to impose such specific assessment, fine, or sanction on the Unit Owner ("Notice of Intent"), and said Unit Owner shall have thirty (30) days to either (1) serve a written response contesting the Notice of Intent or (2) request an in-person meeting to contest the Notice of Intent. If the Unit Owner does not submit a written response or request an in-person meeting within thirty (30) days, the Board of Directors may levy or impose on the Unit Owner the specific assessment, fine, or sanction identified in the Notice of Intent.

2. **A new Article XII, Section 1.A is hereby added to the Declaration of Covenants, Conditions and Restrictions contained in the Foxchase Bylaws as follows:**

**Section 1.A. Repeat Requests for Enforcement.** In the event that a Unit Owner submits to the Board of Directors three (3) requests for the enforcement of any of these covenants or restrictions, or the administrative Rules and Regulations adopted pursuant thereto, and the Board of Directors determines, after a reasonable inquiry under the circumstances, that each of the requests are substantially similar in nature and without merit, and has incurred costs as a result of any of the requests for enforcement, then the Board of Directors may impose fines or other sanctions on said Unit Owner in accordance with Article IV, Sections 1 and 5 hereof.

3. The Foxchase Bylaws are amended by adding the following Rule under Section "C" of the "Rules and Regulations of Fox Chase Homeowners' Association" immediately following Rule 2015.2:

**Rule 2022.1**

Above ground pools are not permitted. In ground pools are permitted and must be approved by the Foxchase Homeowners Association through the Property Modification process.

IN WITNESS WHEREOF, the Association has caused its name to be signed to these presents on the date reflected below.

**FOXCHASE HOMEOWNERS' ASSOCIATION**

Date: 8/1/23

By: 

**Douglas Gillespie**

President of the Foxchase Homeowners' Association

Date: 8/1/23

By: 

**Andrew Reo**

Secretary of the Foxchase Homeowners' Association

**CERTIFICATE**

We, DOUGLAS GILLESPIE President of the Foxchase Homeowners' Association, and Andrew Reo, Secretary of the Foxchase Homeowners' Association, hereby certify that the Second Amendment to the Declaration of Covenants, Conditions, and Restrictions and By-Laws of Fox Chase Plan of Lots, A Limited Planned Community has been adopted and consented to by at least sixty-seven percent (67%) of the Unit Owners in attendance at the Annual Meeting held on November 17, 2022, where a quorum, defined as the presence of members and proxies entitled to cast over thirty percent (30%) of all votes, was achieved.

Dated this 1<sup>st</sup> day of AUGUST, 2023.

[Signature]  
President  
Andrew Reo  
Secretary

**ACKNOWLEDGEMENT**

COMMONWEALTH OF PENNSYLVANIA )

Washington )  
COUNTY OF ~~ALLEGHENY~~ ) ss:

On this 1<sup>st</sup> day of August, 2023, before, the undersigned officer, personally appeared Doug Gillespie President of Foxchase Homeowners' Association, and Andrew Reo, Secretary of Foxchase Homeowners' Association, both of whom are known to me and acknowledged that as the President and Secretary of the Association, and otherwise being authorized to do so, they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.  
SEAL

[Signature]  
Notary Public

