

RHODO MOUNTAIN ESTATES PLANNED COMMUNITY
MASTER TAX PARCEL: **65-51-A13**

**Amendment to Declaration of Covenants for
Rhodo Mountain Estates Planned Community**

Penn Forest Township, Carbon County, Pennsylvania

This is an ***Amendment to the Declaration of Covenants for Rhodo Mountain Estates planned community***, a residential planned community located in Penn Forest Township, Carbon County (“Rhodo Mountain Estates” or the “Community”) dated June 9th, 2021, by **Rhodo Mountain Estates Homeowners Association**, a Pennsylvania nonprofit corporation (the “Association” and/or “Successor Declarant”).

Background

I. The Association owns all of the rights in, to, and affecting the real property comprising the common area in Rhodo Mountain Estates subdivision (the "**Common Area**"). The Common Area is subject to non-exclusive rights of use vested in all owners of residential lots (inclusively the "**Owners**" of "**Lots**") that are depicted on the recorded subdivision plans for Rhodo Mountain Estates subdivision. The Common Area is managed and maintained for the benefit of the Owners by the Association. The use of the Common Area by the Owners is subject to the standards found in the governing documents of the Association.

II. The Association is the successor-in-interest to all the Declarant rights for the Community pursuant to an assignment from the prior declarants, Jan Jurrissen and Ulla Jurissen, d/b/a Rhodo Mountain Realty Group.

III. The Association was created through the filing of Articles of Incorporation with the Pennsylvania Department of State on August 3, 2007.

IV. The Common Area and Lots were originally subject to a *Declaration of Covenants, Restrictions, Easements, Charges and Liens for Rhodo Mountain Estates, a Planned Community*, which was executed on the 19th day of September, 2007 and filed with the Carbon County Recorder of Deeds Office at Deed Book 1639, Page 684 in December 2007.

V. The Declarant has conveyed the Common Facilities to the Association pursuant to Section 5.2 of the 2007 Declaration via a Deed dated February 22, 2008, recorded on March 3, 2008, in Deed Book 1669, Page 749, which Deed was corrected by the Corrective Deed dated August 1, 2012, and recorded on August 31, 2012, in Deed Book 1994 Page 532; and

VI. Transition from Declarant to Association control was effectuated through the filing of an owner approved *Amended and Restated Declaration for Rhodo Mountain Estates, A Planned Community*,

dated November 9, 2013 and filed with the Carbon County Recorder of Deeds office at Miscellaneous Book 2093, page 910, a copy of which is hereinafter incorporated by reference, (“the Current Declaration”). The Declaration was intended to run with the land and bind all common areas and units.

VII. In 2021, RMEHA obtained the necessary 67% approval to formally approve changes to add certain covenants, which are reflected below.

VIII. The Owners of Lots in Rhodo Mountain Estates, for themselves and their respective heirs, successors and assigns, intend to bind all Lots and Common Area in the Community legally under the terms of this Amendment based on written consents of the Owners holding title to at least two-thirds of the Lots in the Community, thereby amending both the Declaration (as permitted under Sections 5102(d) and 5219 of the Pennsylvania Uniform Planned Community Act) effective on the date of filing.

IX. The Association intends by this Declaration to continue to impose upon the Community mutually beneficial restrictions under an uninterrupted general plan of development for the benefit of all Owners of real property within the Community.

Amendment

The Association hereby declares that all of the Common Area and Units in the Community shall be legally bound by this Amendment to the Declaration of Covenants for Rhodo Mountain Estates, a planned community governed by the *Pennsylvania Uniform Planned Community Act*, 68 Pa. C.S. Section 5101, *et seq.* This Amendment is intended to protect the value and desirability of the Units and Common Area and shall benefit all Unit Owners and the Association. This Amendment shall run with the land as part of the Covenants and Declaration, which means that these standards are attached legally to the Units and Common Area even with changes of ownership. This Amendment shall bind all persons having any right, title or interest in the Units and Common Area, and their respective heirs, successors, successors-in-title and assigns.

This Amendment adds a new Article IX, Section 9.3.17 and replaces the entirety of Section 9.4 with new language, both identified below:

AMENDMENT #1

Article IX, Section 9.3, Restrictions is hereinafter amended to include new subsection 9.3.17, as follows:

Section 9.3.17 Rental Regulations

- A. A short-term rental (hereinafter “STR”) is a rental for a period of less than thirty (30) days.***
- B. STRs and timeshares are prohibited. This regulation shall not apply to any STR in operation as of January 1, 2021, but this exemption shall expire on December 31, 2024. If a pre-existing STR is conveyed to a new owner, corporate or otherwise, the new owner shall be prohibited from using the property as an STR.***
- B. All rentals must register with the Association and provide a copy of the lease and tenant contact***

information to RMEHA.

- C. All landlord owners shall pay a reasonable rental fee, to be set annually by the RMEHA Board of Directors, at the time of registration. The fee shall be imposed on a per property basis.*
- D. All tenants shall comply with all rental regulations as promulgated by the RMEHA Board of Directors and comply with all Penn Forest Township regulations. Landlord owners are responsible for the actions and violations of their tenants.*
- E. Any violations shall be subject to enforcement pursuant to due process procedures developed and administered by the RMEHA Board of Directors, as authorized in Section 9.4.*

AMENDMENT #2

Section 9.4, Enforcement, is hereinafter replaced in its entirety with the following language:

Section 9.4 Enforcement

The Association shall have the authority to file suit to enjoin violations of this Declaration and be entitled to recover all attorneys' fees and other costs incurred in the enforcement therein, with said costs constituting a lien under 68 Pa. C.S. § 5315. In addition, the Association may also develop internal enforcement procedures to enforce violations of the Declaration, Bylaws, and Rules and Regulations. Such procedures, to be developed by the Board of Directors, shall provide for notice and an opportunity to be heard, as well as a schedule of penalties. These procedures shall not be adopted or amended by the Board without written notice to the membership.

◀ **End of Amendments** ▶

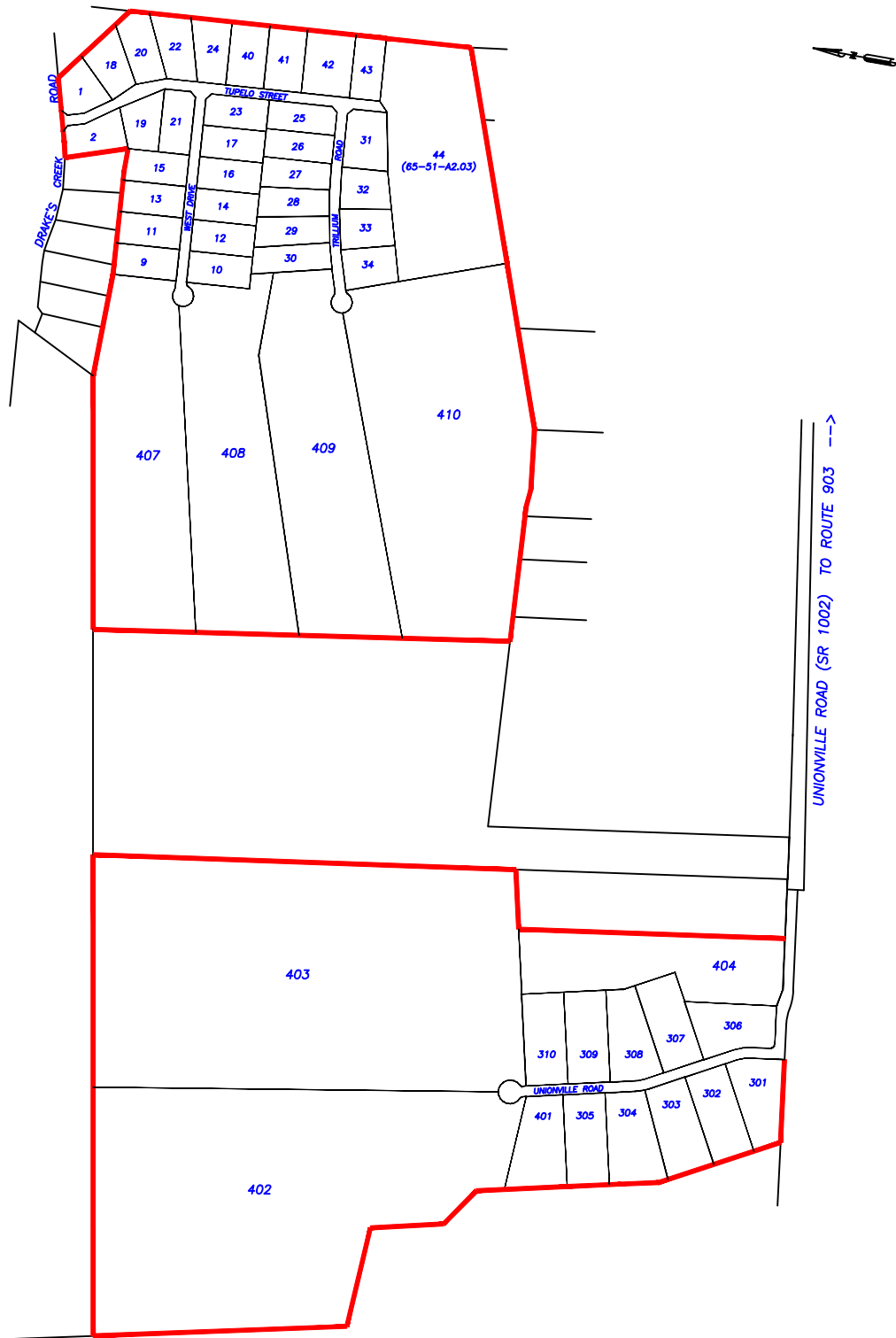
IN WITNESS OF WHICH, the Association have caused this Amendment to be executed by their respective officers this 9th day of June, 2021.

Attest

Rhodo Mountain Estates Homeowners Association


Secretary


President



COMMUNITY MAP
of
RHODO MOUNTAIN ESTATES
Penn Forest Township, Carbon County, Pennsylvania

JULY 6, 2017

SCALE: 1" = 800'

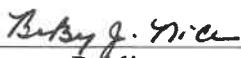
**Certification of President of Rhodo Mountain Estates Homeowners Association
Required under UPCA Section 5219(e)**

Being duly sworn according to law, I, Anthony Price, hereby certify that (1) I am the President of **Rhodo Mountain Estates Homeowners Association**; (2) this Declaration was approved, based on proper notice to the members, as an amendment to the Declaration of Covenants for Rhodo Mountain Estates planned community, by the approval of the membership in compliance with 68 Pa. C.S. § 5219; and (3) the Board, on behalf of the Owners, has therefore authorized the preparation, execution, recording and certification of this amendment to the Declaration and Covenants as such on the real property records of Carbon County, as required in Sections 5102(d) and 5219(e) of the Pennsylvania Uniform Planned Community Act.

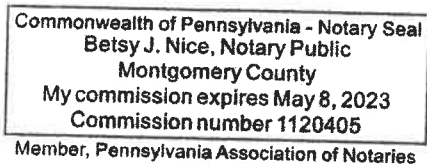


President, Rhodo Mountain Estates Homeowners Association

Sworn to and subscribed before me,
this 9th day of JUNE, 2021



Notary Public



NOTARY'S ACKNOWLEDGEMENT

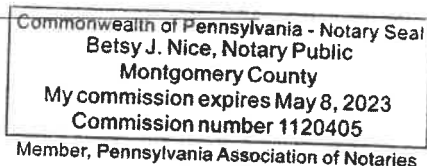
COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF MONTGOMERY : SS

On this 9th day of June, 2021, before me, a Notary Public in and for the Commonwealth of Pennsylvania, the undersigned officer, personally appeared Anthony Price, who acknowledged himself to be the President of the Board of Directors of Rhodo Mountain Estates Homeowners Association, and that he, as that officer, being authorized to do so, executed the foregoing Amendment for the purposes contained in the Declaration by signing it by himself, as President, intending that it be recorded on public record.

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



Notary Public



CARBON COUNTY RECORDER OF DEEDS
DONNA L. GENTILE, RECORDER
PO BOX 89
JIM THORPE, PA 18229-0089



CARBON COUNTY COURTHOUSE
JIM THORPE

Instrument Number - 202106412
Recorded On 6/18/2021 At 10:57:42 AM
* Instrument Type - MISCELLANEOUS
Invoice Number - 287478

* Total Pages - 7

* Grantor - RHODO MOUNTAIN ESTATES HOMEOWNERS ASSOCIATION
* Grantee - RHODO MOUNTAIN ESTATES HOMEOWNERS ASSOCIATION
* Customer - RMEHA

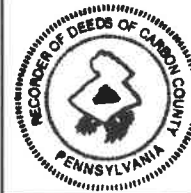
*** FEES**

PA WRIT TAX	\$0.50
RECORDING FEES	\$32.00
COUNTY ARCHIVES FEE	\$2.00
ROD ARCHIVES FEE	\$3.00
TOTAL PAID	\$37.50

***RETURN DOCUMENT TO:**

RMEHA
PO BOX 181
JIM THORPE, PA 18229

I hereby CERTIFY that this document is
Recorded in the Recorder of Deeds Office
Of Carbon County, Pennsylvania



Donna L. Gentile
Donna L. Gentile
Recorder of Deeds

This is a certification page

DO NOT DETACH

This page is now part
of this legal document.

* - Information denoted by an asterisk may change during
the verification process and may not be reflected on this page.

Book: 2607 Starting Page: 579

CERTIFICATION OF PARCEL NUMBERS ONLY
DOES NOT CERTIFY CONTENTS
OF THIS DOCUMENT
CARBON COUNTY RECORDER OF DEEDS

