

Tax ID: 04-03458188

AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
OF
THE BROWNSTONES AT PARK POTOMAC

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (this "Amendment") is made on this 9th day of September, 2019, by The Brownstones at Park Potomac Homeowners Association, Inc., a Maryland non-stock corporation (referred to herein as the "Association").

RECITALS

A. FP Homes Associates Limited Partnership, a Maryland limited partnership, recorded the Declaration of Covenants, Conditions and Restrictions of The Brownstones at Park Potomac among the Land Records of Montgomery County, Maryland (the "Land Records") on October 24, 2005 in Liber 31059 at folio 548 et seq., as amended, supplemented or modified prior hereto (the "Declaration").

B. The Declaration subjected certain properties as set forth on Exhibit A to the Declaration to certain covenants, conditions and restrictions for the residential community known as The Brownstones at Park Potomac.

C. Among the Common Area of the Association is a Shared Private Road known as Ansin Circle, which is shared by the Association, and Park Potomac Condominium I ("Condo I"), a Maryland condominium association that was created upon the recordation of a Declaration of Condominium in the Land Records in Liber 33574, at folio 048, et. seq., on January 3, 2007, and Park Potomac Condominium II ("Condo II"), a Maryland condominium association that was created upon the recordation of a Declaration of Condominium in the Land Records in Liber 35661, at folio 177, et. seq., on May 14, 2008, and The Perry Apartments.

D. Article VI, Section 2(f)(iii) of the Declaration provides that parking along the Shared Private Road may be used only for visitor parking for the residents of the Association and for visitors to Condo I and Condo II and The Perry Apartments on a first-come, first-served basis, and prohibits any Owner or occupant or tenant of the Association or Condo I or Condo II or The Perry Apartments from parking on the Shared Private Road.

E. The Board of Directors of the Association wishes to amend the Declaration to allow the Shared Private Road to be used by Owners, residents and occupants of the Association, Condo I, Condo II, and The Perry Apartments, and to allow the Board to promulgate such rules and enter into such agreements with Condo I, Condo II, and The Perry Apartments regarding the use and maintenance of the Shared Private Road as it deems beneficial to the Association.

F. Article XI, Section 2 of the Declaration states that the Declaration may only be amended by an instrument signed by, or the affirmative vote of, the Class A Members entitled to cast not less than sixty-seven percent (67%) of the total authorized votes in the Association. Notwithstanding the foregoing, Section 11B-116 of the Maryland Homeowners Association Act

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provides that the Declaration may be amended by the affirmative vote of Owners in good standing having at least sixty percent (60%) of the votes.

G. A meeting of the Members of the Association for the purpose of voting on this Amendment, at which a quorum was present, was duly held on September 5, 2019, and at least sixty percent (60%) of the Owners in good standing affirmatively voted to approve this Amendment.

NOW THEREFORE, in consideration of the foregoing Recitals incorporated into and made a part of this Amendment, the Declaration is amended as follows.

1. Article VI, Section 2(f)(iii) shall be amended as follows [stricken text is hereby deleted and underlined text is hereby added]:

~~“All areas designated for visitor parking shall be so marked and designated for visitor parking only, and no Owner, Occupant or other tenant shall park in such designated areas. The parking along the Shared Private Road may be used only for visitor parking for the Property residents of the Association and for visitors to the Condominium Property, and The Perry Apartments, and/or in accordance with such rules and regulations for parking as the Board of Directors may adopt from time to time, or such agreements as the Board of Directors may enter into with the Condominium Property and The Perry Apartments from time to time. Visitor parking may be used for visitor parking only, on a first come, first served, basis. The visitor parking shall be utilized for parallel parking only, and no vehicle shall be parked so as to interfere with the flow of vehicular traffic on any road such parking is allowed. No Owner or Occupant or other tenant of the Property shall park in the visitor parking, and no any owner or occupant of the Condominium Property, may park along the Shared Private Road.”~~

2. In the event of any inconsistency between the Declaration and this Amendment, this Amendment shall govern. Except as otherwise provided in this Amendment, the terms and provisions of the Declaration remain in full force and effect.

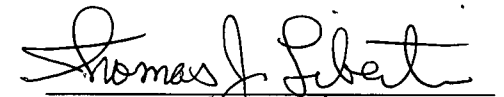
3. This Amendment is effective immediately upon its recordation in the Land Records.

[SIGNATURE PAGE FOLLOWS]

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CERTIFICATION OF ASSOCIATION SECRETARY

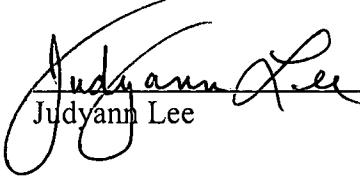
I, the undersigned, am the Secretary of The Brownstones at Park Potomac Homeowners Association, Inc., a Maryland non-stock corporation, and hereby certify that a meeting of the Members of the Association was duly held on September 5, 2019, at which a quorum was present, and at which 60% of the Members in good standing, in person or by proxy, voted to amend the Declaration as provided herein.


Thomas J. Giberti, Secretary

Sept. 9, 2019
Date

ATTORNEY'S CERTIFICATION

I HEREBY CERTIFY THAT I am an attorney duly licensed to practice in the State of Maryland, and that the foregoing instrument was prepared by me or under my supervision.



Judyann Lee

TAX ID #
04-03458188

After recording, please return to:
Attn: Judyann Lee, Esq.
McMillan Metro, P.C.
7811 Montrose Road, Suite 400
Potomac, Maryland 20854

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LR - Covenant
Recording Fee 20.00
Declarant Name: THE
BROWNSTONES AT POTOMAC
PARK
Ref:
LR - Covenant
Surcharge 40.00
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SubTotal:	60.00
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Total:	60.00

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Register 05



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BARBARA H. MEIKLEJOHN
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Recording and Licensing
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