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Prepared By and Return To:
Hudson Jones Jaywork & Fisher, LLC
309 Rehoboth Avenue
Rehoboth Beach, DE 19971
RVW

AMENDED DECLARATION AND RESTRICTIONS FOR WARWICK PARK

WHEREAS, Warwick Park Owners Association (hereinafter referred to as “Association”) and the members thereof, being Owners of Lots in Warwick Park, a subdivision in Indian River Hundred, Sussex County, Delaware (hereinafter referred to as “Owners”) are bound by a certain Declaration and Restrictions for Warwick Park recorded in the office of the Recorder of Deeds, in and for Sussex County in Georgetown, Delaware on September 5, 1974 in Deed Book 736, Page 819, *et seq.*; as amended by amendment recorded on February 8, 1976 in Deed Book 776, Page 317, *et seq.*; and a Revised Declaration of Restrictions recorded June 10, 1983 in Deed Book 1183, Page 157, *et seq.*, as amended by amendments recorded on April 7, 1989 in Deed Book 1639, Page 1, *et seq.*; and as amended by amendments recorded on August 1, 1997 in Deed Book 2220, Page 207 *et seq.* and Page 230, *et seq.*; and as amended by amendments recorded on October 16, 2002 in Deed Book 2762, Page 41, *et seq.*; and as amended by amendments recorded on March 22, 2011 in Deed Book 3875, Page 196, *et seq.*; and

WHEREAS, said Declaration and Restrictions, as amended, are applicable to the “Final Plan Warwick Park,” recorded April 1, 1980 in Plot Book 20, Page 52 and subsequently recorded November 25, 1985 in Plot Book 33, Page 218; and

WHEREAS, pursuant to the authority established in the Declaration and Restrictions, as amended, the Declaration and Restrictions may be amended by and with the vote or written consent of no less than a majority of the then Owners of all Lots in Warwick Park;

NOW THEREFORE, Warwick Park and the Owners of Lots in Warwick Park do hereby amend the Amended and Restated Declaration and Restrictions for Warwick Park, recorded on March 22, 2011 in Deed Book 3875, Page 196, *et seq.*, as follows:

Section 1. The following paragraph is added at the conclusion of the Section entitled “**LAND USE:**”

- (a) There shall be a prohibition against rental arrangements of any type, whether by private contract, rental agent contract, internet or electronic arrangements or informal arrangement, for a rental term of less than ninety (90) days for any residential structure or room or rooms therein within Warwick Park. Any lot owner who, at the time of the recording of this Amendment to the Restrictive Covenants, has been currently renting for

a term of less than ninety (90) days and who has provided written evidence of the current status of a rental of less than ninety (90) days to the Association, shall be exempt from the prohibition of this Section for a period of one (1) year. In the event that a rental status that pre-dated the recordation of this Amendment is determined to be exempt from the provisions of this Section and such rental status is subsequently discontinued for a period of ninety (90) days or more, that rental status shall no longer be exempt from the prohibitions of this Section. Owners shall inform the Association of the name, address, and telephone number of any tenant and the term of the lease.

Section 2. The following paragraph is added at the conclusion of the Section entitled “**MAINTENANCE OF DWELLINGS AND LOTS.**”

a) No motorized, non-motorized or towed vehicle designed for permanent or temporary habitation, referred to as a camper, recreational vehicle or motor home shall be parked or maintained within the front yard area of any lot, on any common area or upon the streets of the Subdivision at any time except for temporary parking on the streets not to exceed forty-eight (48) hours. No commercial vehicle shall be permitted to be parked on any street in the Subdivision or any lot except for temporary parking not to exceed forty-eight (48) hours. “Commercial vehicle” is defined as set forth in the Code of Federal Regulations Section 390.5 as any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle:

- (1) Has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 15,000 pounds or more, whichever is greater; or
- (2) Is designed or used to transport more than 8 passengers (including the driver) for compensation; or
- (3) Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or
- (4) Is used in transporting material found by the Secretary of Transportation to be hazardous under 49 U.S.C. 5103 and transported in a quantity requiring placarding under regulations prescribed by the Secretary under 49 CFR, subtitle B, Chapter I, Subchapter C.

b) No stripped down, partially wrecked, or junk motor vehicle or sizable part thereof, or unregistered motor vehicle shall be permitted to be parked on any street in the Subdivision or any lot or common area.

Section 3. The following sentence in the Section entitled “**PETS AND ANIMALS**” is hereby deleted:

Dogs must be leashed at all times when off the Owner's property.

And in lieu thereof the following sentence is inserted:

Dogs must be under the control of owners at all times and dogs must be on a leash held

