

Upon recordation, return to:  
Alan R. Patterson III, Esquire  
210 Grant Street, Suite 401  
Pittsburgh, PA 15219

**2<sup>nd</sup> AMENDMENT**

**TO**

**DECLARATION**

**OF**

**5859 BEACON**

**A CONDOMINIUM**

Pursuant to the provisions of the  
Pennsylvania Uniform Condominium Act  
68 Pa. C.S. Section 3101 *et. seq.*, as amended

Dated as of December, 24, 2007

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**2<sup>nd</sup> AMENDMENT TO  
DECLARATION  
OF  
5859 BEACON, A CONDOMINIUM**

**AMENDMENT II**

This Amendment made this 24<sup>th</sup> day of December, 2007, by and between S & W Investment Properties, LLC, Declarant of 5859 Beacon:

Pursuant to the Declaration of Condominium of 5859 Beacon executed on October 11, 2005 and recorded on October 14, 2005 in the Recorder of Deeds for Allegheny County, Pennsylvania, in Deed Book Volume 12626, Page 477 ("Declaration"), certain real estate described in Exhibit "A" the Declaration was submitted to the Provisions of the Pennsylvania Uniform Condominium Act, 68 Pa. C. S. § 3101 *et seq.* ("Act") and created a condominium know as "5859 Beacon" ("Condominium"), as amended in the First Amendment to Declaration of 5859 Beacon, a Condominium dated November 29, 2006, and recorded on November 29, 2006 in the Office of the Recorder of Deeds of Allegheny County, Pennsylvania in Deed Book Volume 13070, Page 291.


Whereas, the Declarant, as defined in Section 1.1 of the Declaration deems it necessary to amend the Declaration.

Pursuant to provisions of Section 6.1 of the Declaration and Section 3219 of the Act, the Declaration is hereby amended as follows:

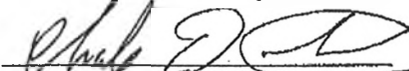
1. Article XI, Section 11.1 Powers of the Executive Board shall read, "The Executive Board of the Association shall possess all of the duties and powers granted to the Executive Board by the Act and by the Bylaws, including, without limitation, the power to promulgate Rules and Regulations. Any right or power vested in the Condominium or the Association under this Declaration shall be deemed to be vested in the Executive Board unless expressly stated to the contrary or otherwise required by the Act. The Executive Board shall consist of five (5) members who shall serve for a term of three (3) years and shall be elected for staggered terms at annual meetings of the Association, except as provided in this **Article XI**. Each Executive Board member shall hold office pursuant to the provisions relating thereto in the Bylaws."

Signatures of the owners of record are attached as exhibit "A".

IN WITNESS WHEREOF, S & W Investment Properties, LLC, the Declarant, has executed this 2<sup>nd</sup> Amendment the day and year first written above.

  
Witness/Attest

Declarant:  
S & W Investment Properties, LLC

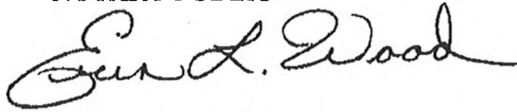
  
Charles D. Staley, Sole Member

COMMONWEALTH OF PENNSYLVANIA )  
 ) SS.  
COUNTY OF ALLEGHENY )

I, ERIN L. WOOD, a Notary Public in the aforesaid County, does hereby certify that Charles D. Staley, Sole Member of S & W Investment Properties, LLC, the Declarant, whose name is subscribed to the foregoing 1<sup>st</sup> Amendment to the Declaration of the Condominium of 5859 Beacon, a Condominium, personally appeared before me this day, and he acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act and deed for the uses and purposes therein set forth and that the statements therein contained are true.

Given under my hand and notarial seal this 24TH day of DECEMBER, 2007.

NOTARY PUBLIC



My Commission Expires:

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Erin L. Wood, Notary Public  
City Of Pittsburgh, Allegheny County  
My Commission Expires Sept. 10, 2010  
Member, Pennsylvania Association of Notaries

EXHIBIT A

SUBMITTED REAL ESTATE

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ALL THAT CERTAIN LOT OR PIECE OF GROUND SITUATE IN THE 14th WARD, CITY OF PITTSBURGH, COUNTY OF ALLEGHENY AND COMMONWEALTH OF PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING ON THE NORTHERLY SIDE OF BEACON STREET, 80.00 FEET WIDE, AT A POINT 315.58 FEET FROM THE INTERSECTION OF THE NORTHERLY LINE OF BEACON STREET WITH THE WESTERLY LINE OF SHADY AVENUE; THENCE ALONG THE NORTHERLY LINE OF BEACON STREET S81°-16'-30"W 195.00 FEET TO A POINT, WHICH POINT IS EASTERLY 509.25 FEET FROM THE EASTERLY SIDE OF MURRAY AVENUE AS NOW LOCATED AT A WIDTH OF 60.00 FEET; THENCE N08°-43'-30"W 184.34 FEET TO A POINT; THENCE N87°-58'-00"E 165.98 FEET TO A POINT; THENCE S03°-35'-00"E 15.43 FEET TO A POINT; THENCE N81°-16'-30"E 36.31 FEET TO A POINT; THENCE S06°-48'-00"E 26.79 FEET TO A POINT; THENCE N81°-16'-30"E 0.54 FEET TO A POINT; THENCE S06°-40'-00"E 123.03 FEET TO A POINT ON THE NORTHERLY LINE OF BEACON STREET, THE PLACE OF BEGINNING.

PROPERTY CONTAINING 33,693.74 SQ.FT.

BEING DESIGNATED AS BLOCK 86-R, LOTS 308, 311, 314 AND 317 IN THE DEED REGISTRY OFFICE OF ALLEGHENY COUNTY, PENNSYLVANIA.

5859 BEACON

UNIT # 102

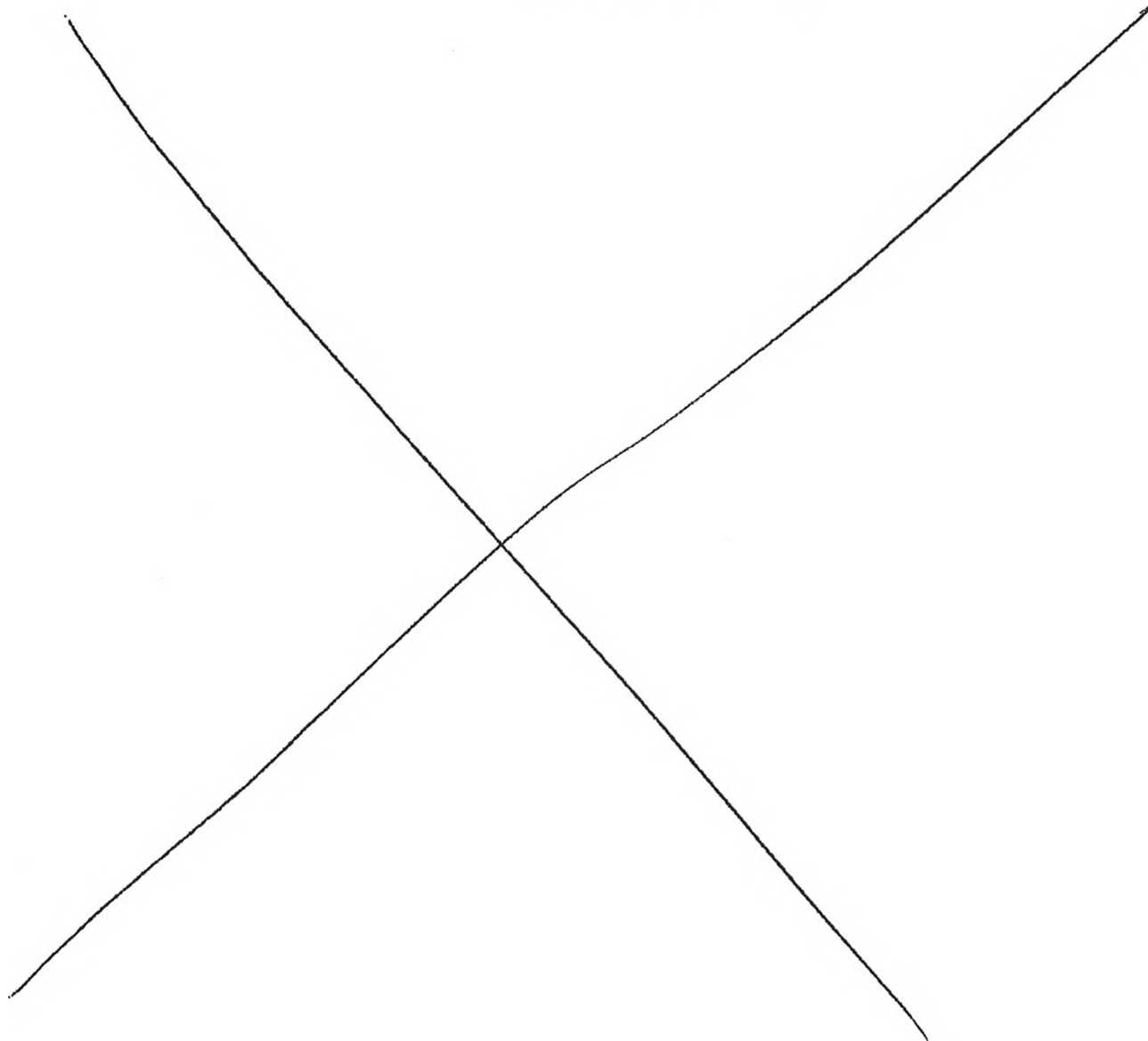
Witness:

Mary L. Benson

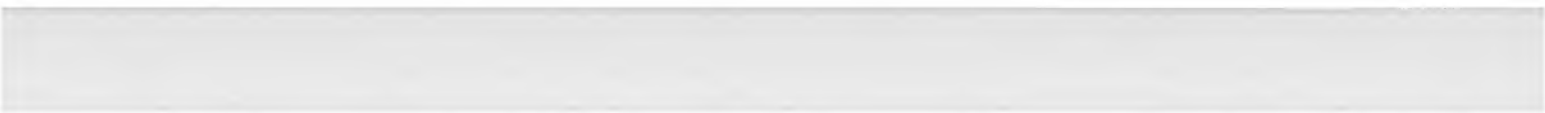
Owner:

Susan R. Berger

By: Susan R. Berger



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5859 BEACON, a Condominium

UNIT 104

Witness:

Barbara Ruggone

Barbara Ruggone

Owner:

Gordon J. Vanscoy

By: Gordon J. Vanscoy

Bethann Vanscoy

By: Bethann Vanscoy

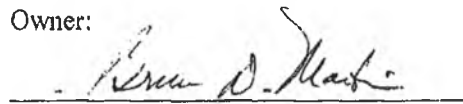
5859 BEACON, a Condominium

UNIT 106

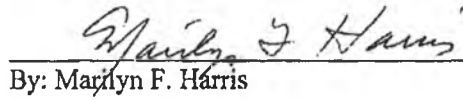
Witness:



Owner:



By: Bruce D. Martin



By: Marilyn F. Harris

5859 BEACON, a Condominium

UNIT 107

Witness:

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a horizontal line.

Owner:


A handwritten signature in black ink, appearing to read 'Arthur Westerberg', positioned above a horizontal line.  
By: Arthur Westerberg



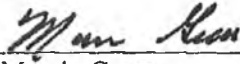
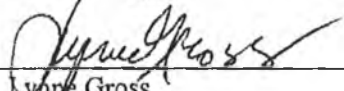
5859 BEACON

UNIT # 201

Witness:

  
\_\_\_\_\_  
\_\_\_\_\_

Owner:

  
\_\_\_\_\_  
By: Marvin Gross  
  
\_\_\_\_\_  
By: Lynne Gross

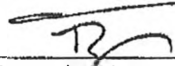
5859 BEACON, a Condominium

UNIT 202

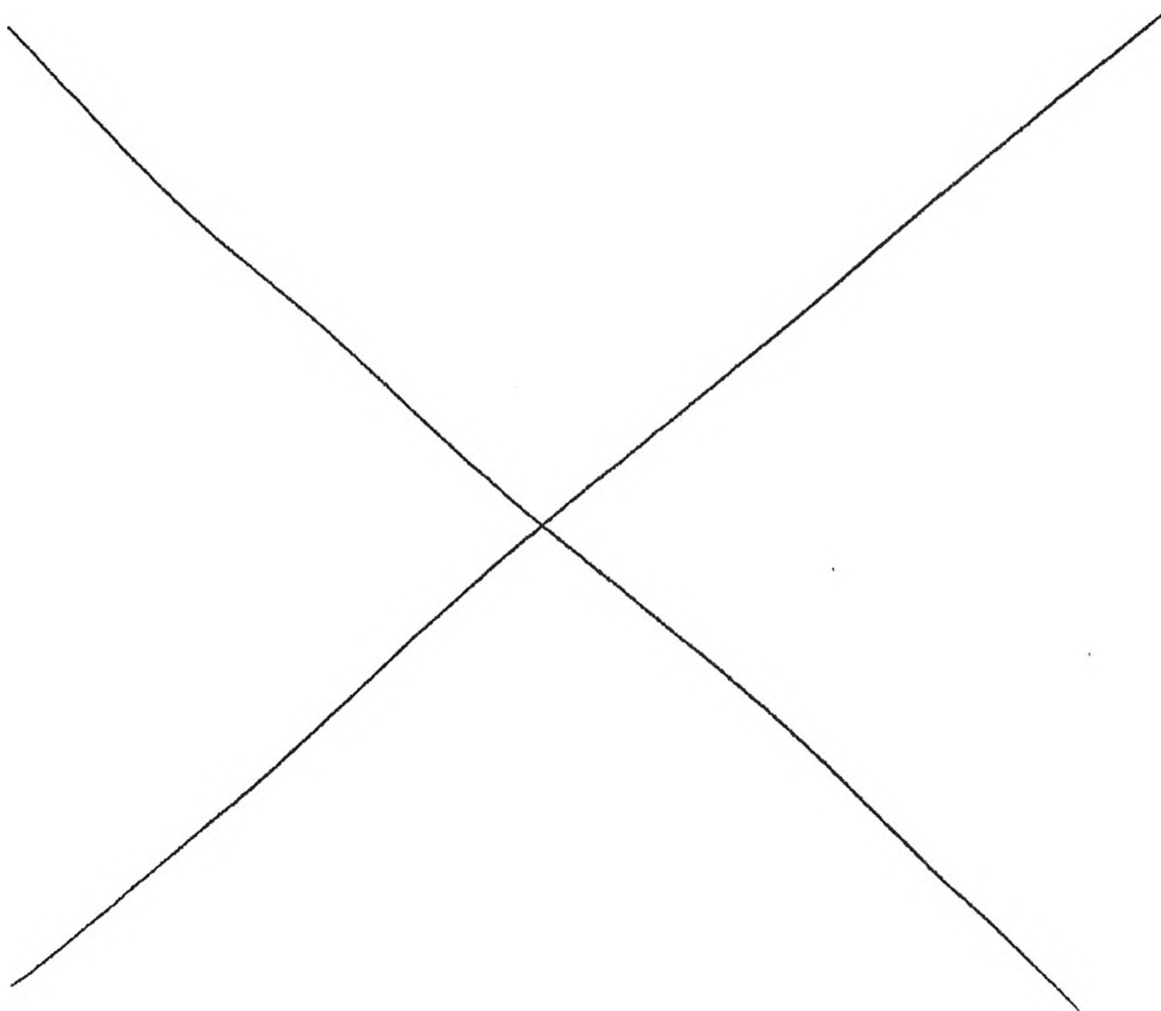
Witness:



Owner:



By: Francois Margot



5859 BEACON, a Condominium

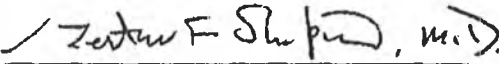
UNIT 203

Witness:

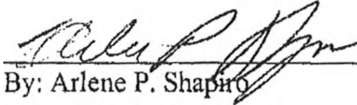


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Owner:



By: Dr. Lester F. Shapiro



By: Arlene P. Shapiro

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5859 BEACON

UNIT # 204

Witness:

*M. P. Glatstein*

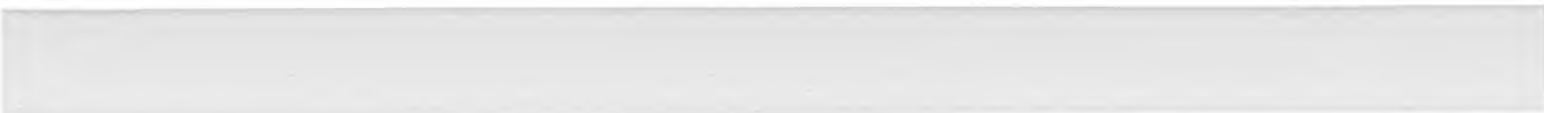
\_\_\_\_\_

Owner:

*Mordecai L. Glatstein*  
By: Mordecai L. Glatstein

*Cyria Glatstein*  
By: Cyria Glatstein

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5859 BEACON

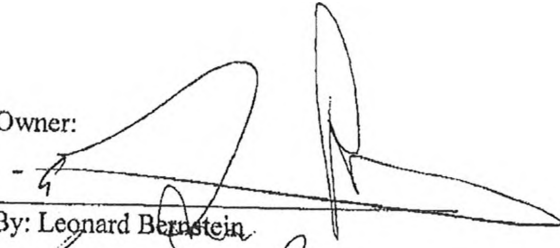
UNIT 205

Witness:

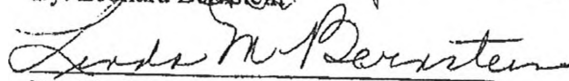
W. L. B.

W. L. B.

Owner:



By: Leonard Bernstein



By: Linda Bernstein

5859 BEACON, a Condominium

UNIT # 207

Witness:

Owner:

Linnet B. Haller agent for Marjorie B. Haller  
By: Marjorie B. Haller

5859 BEACON, a Condominium

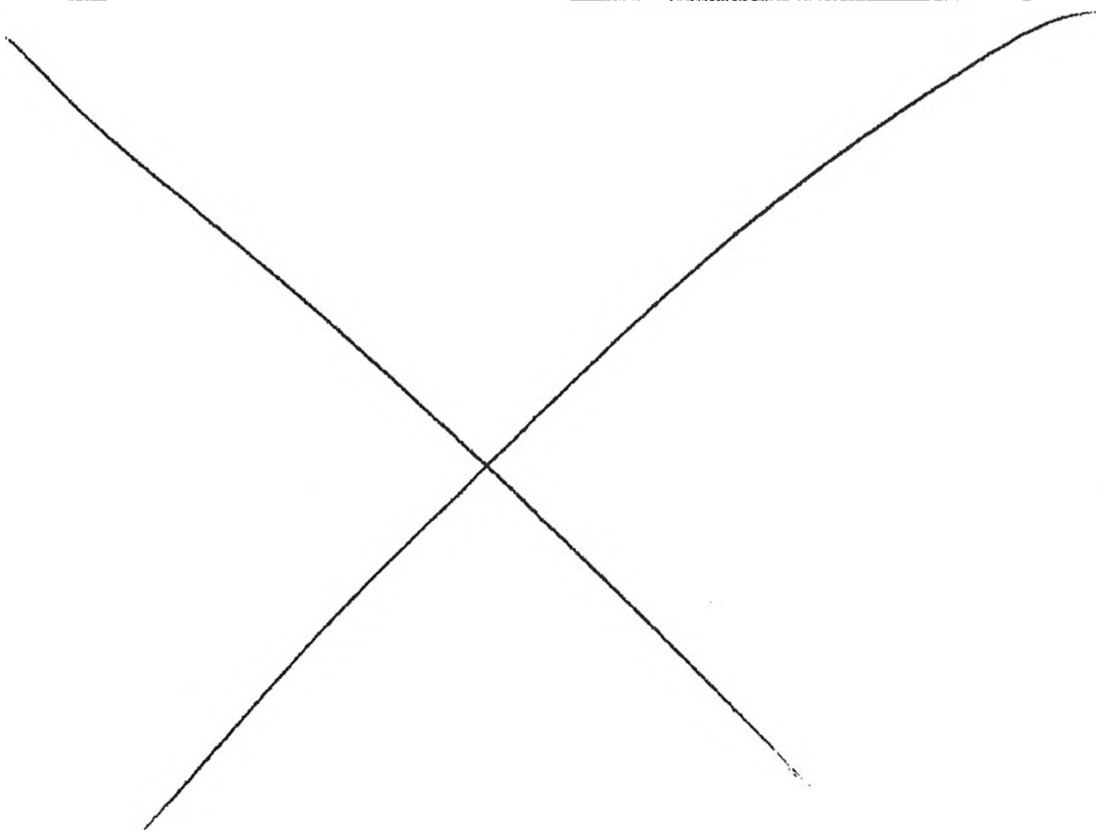
UNIT 301

Witness:

*W. S. M.*

Owner:

*Carl D. Citron*  
By: Carl D. Citron



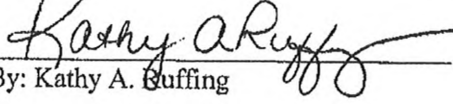
5859 BEACON

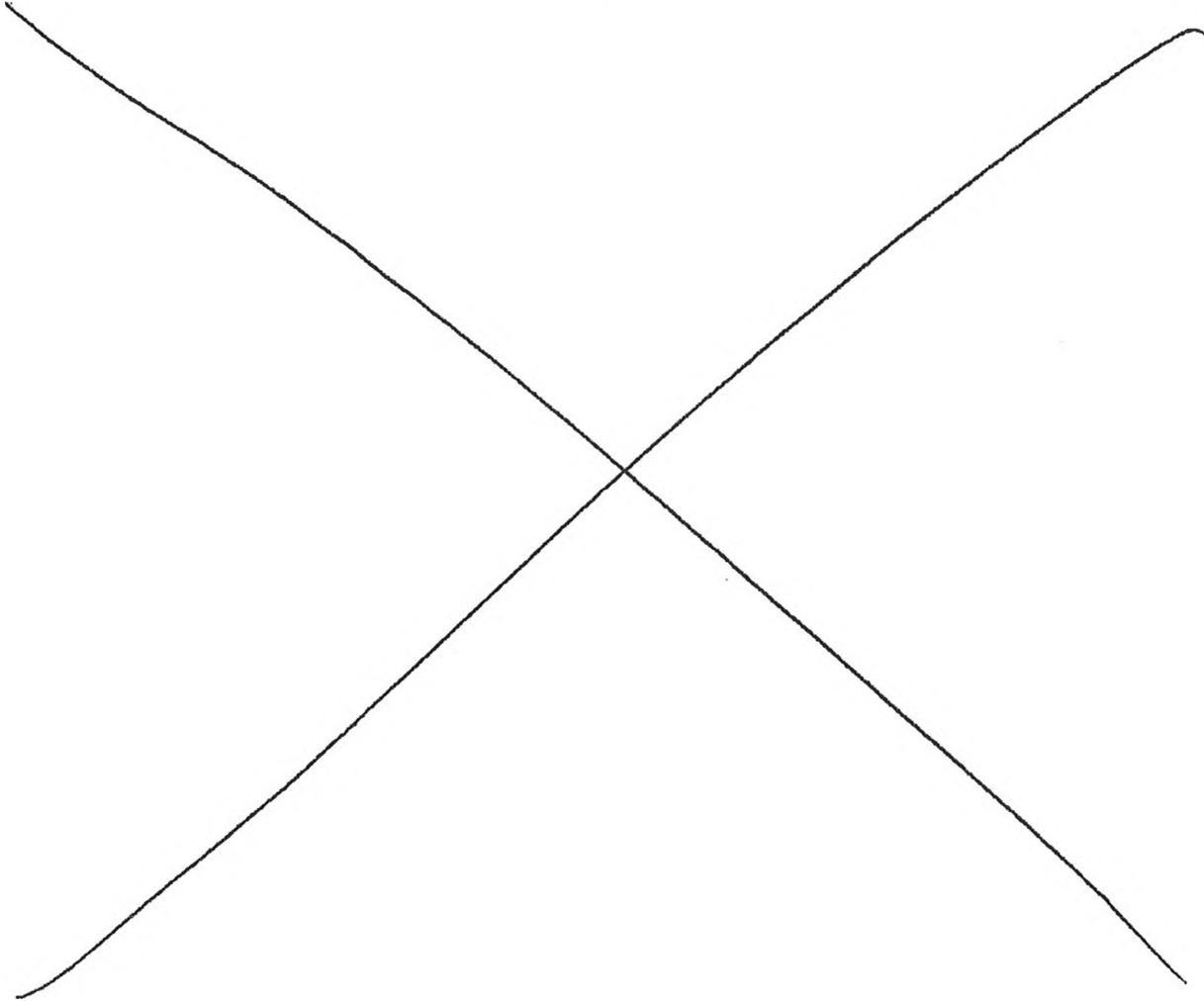
UNIT # 302

Witness:

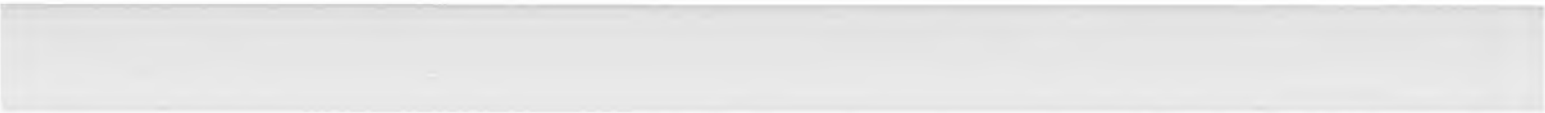


Owner:

  
By: Kathy A. Buffing



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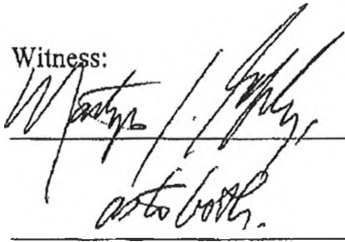




5859 BEACON

UNIT 303

Witness:

  
\_\_\_\_\_

Owner:

  
\_\_\_\_\_

By: Raymond Reaves

  
\_\_\_\_\_

By: Deborah Reaves

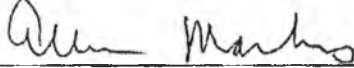
5859 BEACON

UNIT 304

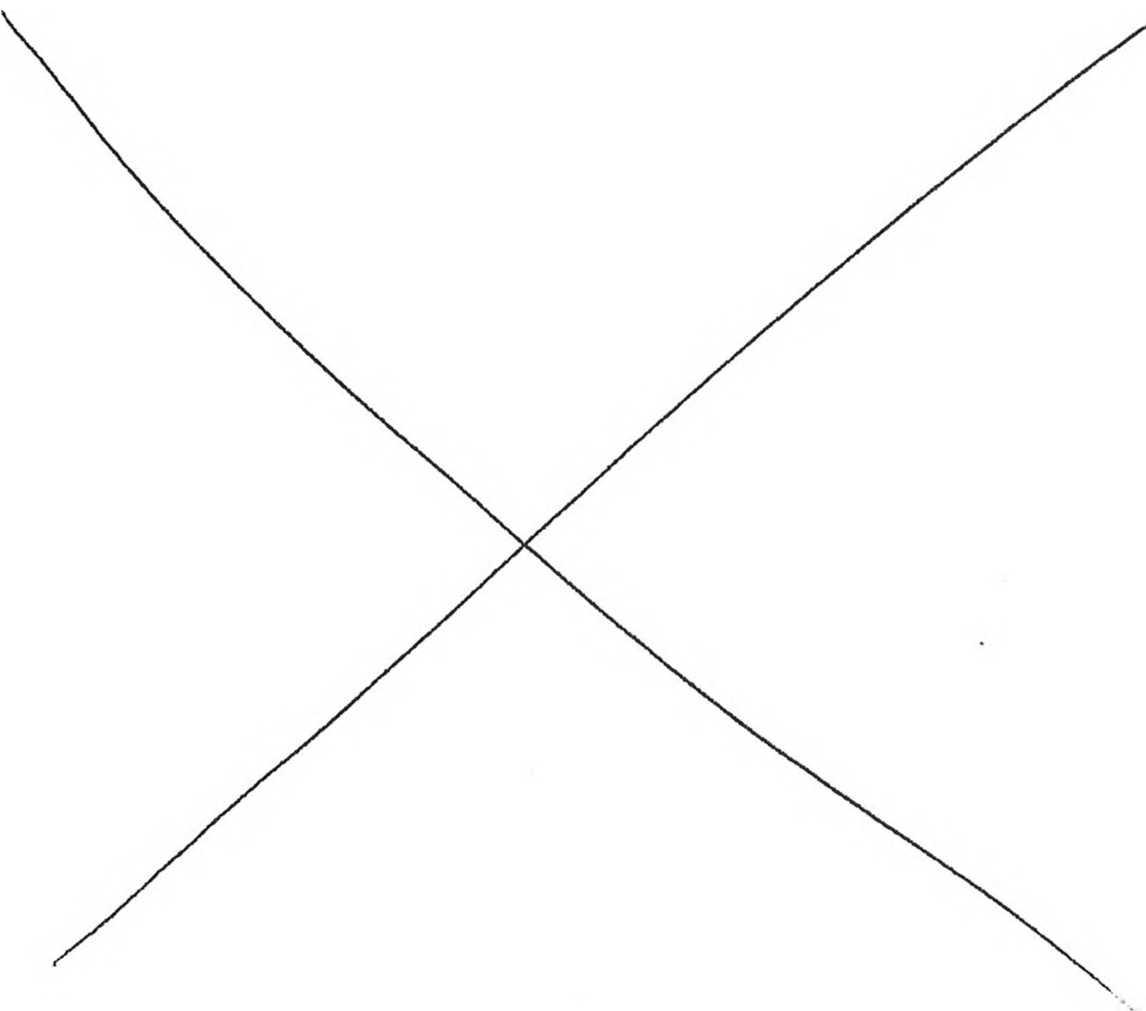
Witness:



Owner:



By: Ellen Marks



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5859 BEACON, a Condominium

UNIT 305

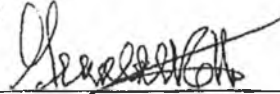
Witness:



A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a horizontal line.

\_\_\_\_\_

Owner:



A handwritten signature in black ink, appearing to read 'Gerald H. Roth', positioned above a horizontal line.

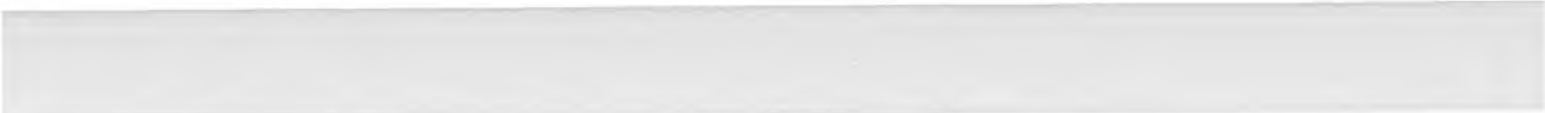
By: Gerald H. Roth



A handwritten signature in black ink, appearing to read 'Ruth M. Roth', positioned above a horizontal line.

By: Ruth M. Roth

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5859 BEACON, a Condominium

UNIT 307-308

Witness:

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Owner:

Marcia M. Stewart  
By: Marcia M. Stewart

5859 BEACON, a Condominium

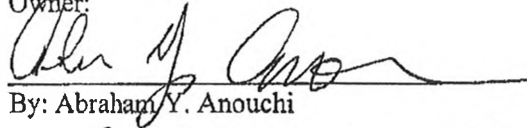
UNIT 401

THIS IS PAGE 4 OF 2ND AMENDMENT TO  
DECLARATION OF 5859 BEACON A CONDOMINIUM

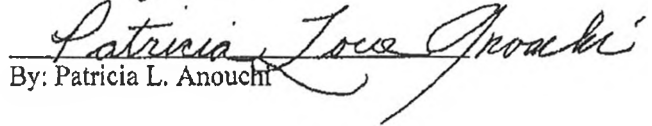
Witness:



Owner:



By: Abraham Y. Anouchi



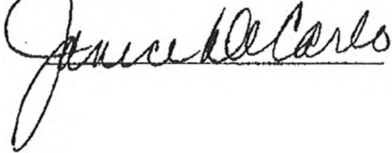
By: Patricia L. Anouchi

**5859 BEACON, a Condominium**

**UNIT 402**

The undersigned hereby consents to the execution of the 2nd Amendment to Declaration of 5859 Beacon, a Condominium by Declarant.

Witness:

  
\_\_\_\_\_

Owner:

  
By: Catherine Raphael

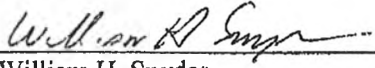
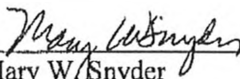
5859 BEACON, a Condominium

UNIT 403

Witness:



Owner:

  
By: William H. Snyder  
By: Mary W. Snyder

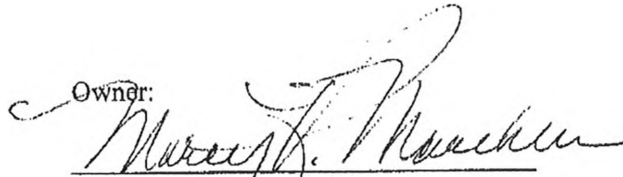
5859 BEACON, a Condominium

UNIT 404

Witness:

A handwritten signature in black ink, appearing to be "JR" or similar, written over a horizontal line.

Owner:

A large, stylized handwritten signature in black ink, appearing to be "Marcy K. Marchbein", written over a horizontal line.

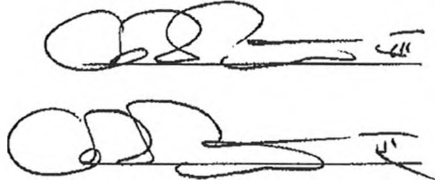
By: Marcy K. Marchbein




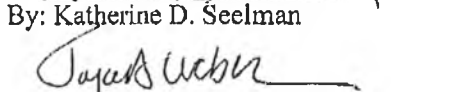
5859 BEACON, a Condominium

UNIT 403

Witness:

Two handwritten witness signatures, each written over a horizontal line. The signatures are stylized and cursive.

Owner:

  
By: Katherine D. Seelman  
  
By: Joyce A. Weber



Allegheny County  
Valerie McDonald Roberts  
Department of Real Estate  
Pittsburgh, PA 15219

Instrument Number: 2010-13827

BK-DE VL-14277 PG-380

Recorded On: May 28, 2010

As-Deed Agreement

Parties: FIVE 5859 BEACON CONDO ASN

To FIVE 5859 BEACON CONDO ASN

# of Pages: 4

Comment: AMENDMNT DECLARATION

\*\*\*\*\* THIS IS NOT A BILL \*\*\*\*\*

Deed Agreement		78.50
Pages > 4	0	
Names > 4	0	
<b>Total:</b>		<b>78.50</b>

Certified By-K B  
On 12 02, 2010 11:49a  
CONDO DECLARATION

I hereby certify that the within and foregoing was recorded in the Department of Real Estate in Allegheny County, PA

**\*\*DO NOT REMOVE-THIS PAGE IS PART OF THE RECORDED DOCUMENT\*\***

**File Information:**

**Record and Return To:**

Document Number: 2010-13827  
Receipt Number: 1589948  
Recorded Date/Time: May 28, 2010 03:14:33P  
Book-Vol/Pg: BK-DE VL-14277 PG-380  
User / Station: M Ward - Cash Station 25

LISA M BURKHART  
1109 GRANT BLDG  
PITTSBURGH PA 15219



Valerie McDonald Roberts, Manager  
Dan Onorato, County Executive