



Allegheny County  
 Jerry Tyskiewicz  
 Department of Real Estate  
 Pittsburgh, PA 15219

Instrument Number: 2021-20870

BK-DE VL-18496 PG-72

Recorded On: July 01, 2021

As-Deed Agreement

Parties: VILLAGE AT MARSHALL RIDGE HOMEOWNERS ASN

To VILLAGE AT MARSHALL RIDGE HOMEOWNERS ASN

# of Pages: 5

Comment: CORRECTIVE AMEND DECL

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

Deed Agreement 181.75  
 0  
 0  
 Total: 181.75

**Realty Transfer Stamp**

**Department of Real Estate Stamp**

Affidavit Attached-No  
 NOT A DEED OF TRANSFER EXEMPT  
 Value 0.00

Certified On/By-> 06-28-2021 / Michael Plittman  
 NOT A DEED OF TRANSFER

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: 2021-20870  
 Receipt Number: 3962908  
 Recorded Date/Time: July 01, 2021 11:38:20A  
 Book-Vol/Pg: BK-DE VL-18496 PG-72  
 User / Station: J Clark - CASH 06

LISA M BURKHART ESQ  
 310 GRANT ST STE 1109  
 PITTSBURGH PA 15219



*Jerry Tyskiewicz*  
 Jerry Tyskiewicz, Director  
 Rich Fitzgerald, County Executive

4  
MP

**CORRECTIVE AMENDMENT TO THE DECLARATION OF VILLAGE AT MARSHALL RIDGE, A PLANNED COMMUNITY**

WHEREAS, Village at Marshall Ridge Homeowners Association (the "Association") is a planned community located in the Township of Marshall, Allegheny County, Pennsylvania, and was created and declared pursuant to the Uniform Planned Community Act of Pennsylvania, 68 Pa. C.S. 5101, *et. seq.*, (the "Act") by the recording of the Declaration of Village at Marshall Ridge, a Planned Community, at the Allegheny County Department of Real Estate at Deed Book Volume 15046, Page 57, as amended by the First Amendment to the Declaration of Village at Marshall Ridge, a Planned Community, recorded at the Allegheny County Department of Real Estate at Deed Book Volume 15517, Page 528, as amended by the Second Amendment to the Declaration of Village at Marshall Ridge, a Planned Community, recorded at the Allegheny County Department of Real Estate at Deed Book Volume 15870, Page 207, as amended by the Third Amendment to the Declaration of Village at Marshall Ridge, a Planned Community, recorded at the Allegheny County Department of Real Estate at Deed Book Volume 16160, Page 95 (hereinafter collectively "the Declaration"); and

WHEREAS, Section 2.6.4(c) of the Declaration provides that any portion of the Community for which insurance is required to be retained by the Unit Owner per the Declaration which is damaged or destroyed shall be promptly repaired or replaced by the Unit Owner unless the Unit Owner(s) affected elect not to rebuild; and

WHEREAS, Section 5312(h)(2) of the Act provides that any portion of the Community for which insurance is required to be retained by the Unit Owner per the Declaration which is damaged or destroyed shall be repaired or replaced promptly by the Unit Owner unless the planned community is terminated, repair or replacement would be illegal under State or local health ordinances or statute, or eighty (80%) percent of the Unit Owners vote not to rebuild; and

WHEREAS, Section 2.6.4(c) of the Declaration is contrary to the terms of Section 5312(h) of the Act which requires an affirmative vote not to rebuild by at least eighty (80%) percent of all Unit Owners entitled to cast a vote at the Association; and

REC'D JUN 20 2008  
OFFICE OF THE COUNTY CLERK  
MICHAEL J. STEWART

WHEREAS, Article V, Section 5.1 of the Declaration provides that the Declaration may be amended in accordance with the provisions of Section 5219 of the Act; and

WHEREAS, Section 5219(f) of the Act provides that except as otherwise provided in the Declaration, if any Amendment to the Declaration is necessary in the judgment of the Executive Board to cure an ambiguity or to correct or supplemental any provision that is defective, missing or inconsistent with the Act, then the Executive Board may effect an appropriate Corrective Amendment to the Declaration, without the approval of the unit owners or holders of liens, upon receipt of an opinion from independent legal counsel to the effect that the proposed Amendment is permitted by the terms of Section 5219(f) of the Act; and

WHEREAS, the Executive Board is in receipt of an opinion from independent legal counsel that the within Corrective Amendment is necessary and proper in accordance with Section 5219(f) of the Act.

NOW THEREFORE, the Declaration is hereby amended as follows:

FIRST: The above recitals are incorporated herein by reference.

SECOND: Section 2.6.4 of the Declaration and all of its subsections are deleted in its entirety and replaced with the following:

“2.6.4 Any portion of the Community for which insurance is required to be retained by the Unit Owner by the Declaration and which is damaged or destroyed shall be repaired or replaced promptly by the Unit Owner unless:

- a. The Community is terminated;
- b. Repair or replacement would be illegal under any State or local health or safety statute or ordinance; and
- c. 80% of the unit owners, including every owner of a unit or assigned limited common element which will not be rebuilt, vote not to rebuild.

The cost of repair or replacement of those portions in excess of insurance proceeds is the Unit Owner's expense. The Unit Owners' insurance shall list the Association as an additional insured and shall provide that the insurance may not be canceled until thirty (30) days after notice of the proposed cancellation has been sent to the Association. If the Unit Owner does not promptly repair or replace the Unit, the Association may demand that the proceeds of the insurance be paid to the Association to enable it to perform such work.”

**THIRD:** Except to the extent of any inconsistency herewith, all of the remaining provisions of the Declaration of Village at Marshall Ridge Homeowners Association shall remain in full force and effect.

Adopted this 9 day of JUNE, 2021.

Village at Marshall Ridge Homeowners Association:

Jonathan Olson  
President  
William J. Begley  
Secretary

**CERTIFICATE**

We, JONATHAN C. OLSON, President of Village at Marshall Ridge Homeowners Association, and WILLIAM J. BEGLEY, Secretary of the Village at Marshall Ridge Homeowners Association hereby certify that the foregoing Corrective Amendment to the Declaration is effectuated by the Executive Board in accordance with Section 5219(f) of the Uniform Planned Community Act of Pennsylvania.

Dated this 9 day of JUNE, 2021.

Village at Marshall Ridge Homeowners Association:

Jonathan Olson  
President  
William J. Begley  
Secretary

**ACKNOWLEDGEMENT**

COMMONWEALTH OF PENNSYLVANIA )

COUNTY OF Allegheny )

On this, the 9 day of June, 2021, a Notary Public in and for the Commonwealth of Pennsylvania, personally appeared JONATHAN C. OLSON, President and

WILLIAM J. BEGLEY, Secretary, who acknowledged that they executed the foregoing instrument for the purposes therein contained.

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

Marcy Lansberry  
Notary Public

My Commission Expires: April 30, 2023

Mail To: Lisa M. Burkhart, Esquire, 310 Grant Street, Suite 1109, Pittsburgh, PA 15219.

Commonwealth of Pennsylvania - Notary Seal  
Marcy Lansberry, Notary Public  
Allegheny County  
My commission expires April 30, 2023  
Commission number 1290370  
Member, Pennsylvania Association of Notaries