

**FIFTH AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
KENSINGTON COURTS COMMUNITY ASSOCIATION, INC.**

**THIS FIFTH AMENDED DECLARATION** dated December 10, 2003, by  
**KENSINGTON COURTS LIMITED LIABILITY COMPANY**, (The "Company").

Whereas the Company owns a 10.547 acre tract of land more or less located in Cecil County, Maryland. The tract (hereinafter referred to as "the Property") consists of a portion of the land described in a Deed dated September 15, 1993, between Kensington Development Limited Partnership, Grantor, and Kensington Courts Limited Liability Company, Grantee, and recorded among the Land Records of Cecil County at N.D.S. No. 453, Folio 477, and said portion being more particularly described in Exhibit A, which is incorporated herein and made a part hereof, together with all improvements thereon and all appurtenances thereto; and

Whereas the Company desires to subject the Property and the lots located therein (the "Lots"), to the Covenants, Conditions and Restrictions set forth below which are the purpose of protecting the value and desirability of the Property and the Lots, and are for the purpose of distributing among the Lot Owners the cost of maintaining and operating the Common Areas located within the Property, and any improvements constructed thereon.

Whereas a Declaration of Covenants, Conditions and Restrictions for Kensington Courts Community Association, Inc., dated October 18, 1994, was recorded among the Land Records of Cecil County at Liber W.L.B. No. 515, Folio 189.

Whereas a subsequent Declaration of Covenants, Conditions and Restrictions for Kensington Courts Community Association, Inc., dated July 22, 1999, was recorded among the Land Records of Cecil County at

Liber W.L.B. No. 0823, Folio 75, and the Declarant seeks to amend the legal description contained therein.

Whereas a First Amended Declaration of Covenants, Conditions and Restrictions for Kensington Courts Community Association, Inc., dated November 1, 1999, was recorded among the Land Records at Liber W.L.B. No. 0850, Folio 501, and the Declarant seeks to amend the legal description contained therein.

Whereas a Second Amended Declaration of Covenants, Conditions and Restrictions for Kensington Courts Community Association, Inc., dated February 15, 2001, was recorded among the Land Records at Liber W.L.B. No. 0966, Folio 618, and the Declarant seeks to amend the legal description contained therein.

Whereas a Third Amended Declaration of Covenants, Conditions and Restrictions for Kensington Courts Community Association, Inc., dated December 19, 2001, was recorded among the land Records at Liber W.L.B. No. 1089, Folio 339, and the Declarant seeks to amend the legal description contained therein.

Whereas a Fourth Amended Declaration of Covenants, Condition and Restrictions for Kensington Courts Community Association, Inc., dated December 19, 2002, was recorded among the Land Records at Liber W.L.B. No. 1280, Folio 731, and the Declarant seeks to amend the legal description contained therein.

Whereas the Company hereby declares that the Property shall be held, sold and conveyed subject to the Covenants, Conditions and Restrictions set forth below.

Now therefore, this Declaration witnesseth, that the said Kensington Courts Limited Liability Company does hereby subject all those lots or parcels of land described in Exhibit A to the Covenants, Conditions and Restrictions set forth in that Declaration of Covenants,

Conditions and Restrictions dated October 18, 1994, which is recorded among the Land Records of Cecil County in Liber N.D.S. No. 515, Folio 189, in the subsequent Declaration of Covenants, Conditions and Restrictions for Kensington Courts Community Association, Inc., dated July 22, 1999, which is recorded among the Land Records of Cecil County at Liber W.L.B. No. 0823, Folio 751, in the First Amended Declaration of Covenants, Conditions and Restrictions for Kensington Courts Community Association, Inc., dated November 1, 1999, which is recorded among the Land Records of Cecil County at Liber W.L.B. No. 0850, Folio 501, in the Second Amended Declaration of Covenants, Conditions and Restrictions for Kensington Courts Community Association, Inc., dated February 15, 2001, which is recorded among the Land Records of Cecil County at Liber W.L.B. No. 0966, Folio 618, and in the Third Amended Declaration of Covenants, Conditions and Restrictions for Kensington Courts Community Association, Inc., dated December 19, 2001, which is recorded among the Land Records of Cecil County at Liber W.L.B. No. 1089, Folio 339, and in the Fourth Amended Declaration of Covenants, Conditions and Restrictions for Kensington Courts Community Association, Inc., dated December 19, 2002, which is recorded among the Land Records of Cecil County as Liber W.L.B. No. 1280, Folio 731.

Witness the hand seal of Bruce Schneider, General Manager of Kensington Courts Limited Liability Company on the day hereinabove first written.

KENSINGTON COURTS LIMITED  
LIABILITY COMPANY

Signed by Jill H. Humphries

Witness

Signed by Bruce Schneider

Bruce Schneider,  
General Manager

STATE OF MARYLAND, COUNTY OF CECIL, to wit:

I HERBY CERTIFY that on this 10th day of December, 2003, before me, the subscriber, a Notary Public of the State of Maryland and the County of Cecil, personally appeared **BRUCE SCHNEIDER** who acknowledged himself to be the General Manager of Kensington Courts Limited Liability Company and that he, as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the Corporation by himself as such officer.

WITNESS my hand and Notarial Seal.

Signed by Jill H. Humphries

Notary Public  
My commission expires  
01-16-06

This instrument has been prepared by Jennifer L. Hammond, an attorney, under such attorney's supervision, or by one of the parties named in this instrument.

Signed by Jennifer L Hammond  
Jennifer L. Hammond

**EXHIBIT A**

**DESCRIPTION OF PHASE 8, KENSINGTON COURTS**

**ALL THOSE LOTS KNOWN AND DESIGNATED** as lot numbers 97 through 123 and lot numbers 137-142, containing 10.547 acres as shown as Block 4 on Sheet 5 of 12 of the Record Plat for Kensington Courts subdivision and recorded with plat reference N.D.S. 13/70 as prepared by Rauch, Walls and Lane, Town of Elkton, Third Election District, Cecil County, Maryland.

Members shall have the right to use the existing road for purposes of ingress, egress and regress to and from waterfront boat launching area. The Company reserves the right to relocate said road and waterfront boat launching area.