

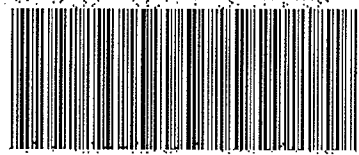
Lancaster County

Bonnie L. Bowman
Recorder of Deeds
150 N. Queen Street
Suite 315
Lancaster, PA 17603
Phone: 717-299-8238
Fax: 717-299-8393



INSTRUMENT # : 6354362

RECORDED DATE: 09/08/2017 09:48:00 AM



3698550-0016

LANCASTER COUNTY ROD**OFFICIAL RECORDING COVER PAGE**

Page 1 of 13

Document Type: MISC - NON MORTGAGE
Transaction Reference: eSecureFile : 6711443
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Transaction #: 3765894 - 1 Doc(s)
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RETURN TO: (Simplifile)
Nikolaus and Hohenadel, LLP
327 Locust Street
Columbia, PA 17512
(717) 684-4422

SUBMITTED BY:
Nikolaus and Hohenadel, LLP
327 Locust Street
Columbia, PA 17512

*** PROPERTY DATA:**

Parcel ID #:

Municipality:

School District:

*** ASSOCIATED DOCUMENT(S):****FEES / TAXES:**

RECORDING FEE: MISC - NON	
MORTGAGE	\$13.00
CRC #6544	\$2.00
RIF #6543	\$3.00
WRIT TAX	\$0.50
EXTRA PAGE FEE	\$16.00
Total:	\$34.50

INSTRUMENT # : 6354362

RECORDED DATE: 09/08/2017 09:48:00 AM

I hereby CERTIFY that this document is
recorded in the Recorder of Deeds Office in
Lancaster County, Pennsylvania.

*Bonnie L. Bowman*

Bonnie L. Bowman
Recorder of Deeds

PLEASE DO NOT DETACH**THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT**

NOTE: If document data differs from cover sheet, document data always controls.

*COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT AFTER RECORDING FOR ADDITIONAL INFORMATION.

DWIGHT@ZHomeBiz

Return to:

Nikolaus & Hohenadel, LLP

327 Locust St.

Columbia, PA 17512

Parcel ID#:

600-37804-0-0000, 600-12581-0-0000, 6000-87861-0-0000,

600-61266-0-0000

Warwick Twp.

DECLARATION OF RESTRICTIONS

THIS DECLARATION is made this 1st day of September, 2017 by ROY ZIMMERMAN, of the County of Lancaster and Commonwealth of Pennsylvania, hereinafter called "ZIMMERMAN".

WITNESSETH:

WHEREAS, ZIMMERMAN is the owner of all that certain tract of land located on the west side of Clay Road in Warwick Township, Lancaster County, Pennsylvania further described in the Subdivision Plan for Brooke Court filed with the Office of the Recorder of Deeds for Lancaster County to Docket #2016-0116-J; and,

WHEREAS, ZIMMERMAN has divided said property into four (4) lots known as Lot No. 2, Block A; Lot 3, Block A; Lot 4, Block A; and, Lot 5, Block A; and,

WHEREAS, there are certain Notes, Easements, Conditions, Rights-of-Way and Restrictions shown on the legal description/deeds that will be prepared for said tracts and it is the intention of ZIMMERMAN to add and/or supplement said Notes, Easements, Conditions, Rights-of-Way and Restrictions and specifically set Restrictions with the Declaration below of said Restrictions to be enforceable against the aforementioned four (4) lots.

NOW THEREFORE, in consideration of the terms and conditions set forth herein and in further consideration of all previous Notes, Easements, Conditions, Rights-of-Way and Restrictions as set forth on previous documentation, ZIMMERMAN does hereby declare the following additional and/or supplemental Restrictions:

1. All fences must be at least five (5) feet off the property line; no fences shall be higher than four (4) feet. In addition, there shall be no fences beyond the front of the building other than decorative fences. All fences must be maintained. All parties further agree and acknowledge that the Rules and Regulations of the Township should be checked by all parties as it is possible that the Rules and Regulations of Warwick Township Zoning may be more stringent than those set forth herein. The specific fence restrictions as set forth herein, do not apply to the North side of Lot 5.

2. There shall be no uninspected, unlicensed or commercial vehicles larger than a pick-up truck parked in the driveway or on the street. Specifically, Lot 5, if owned by Roy Zimmerman and/or Esther Zimmerman, their heirs and assigns shall be exempt from this restriction.

3. No recreational vehicles such as trailers, RVs, etc. shall be stored outside for more than a one (1) week period. There shall never be more than three (3) total weeks during an entire year that an RV and/or trailer shall be parked outside or on the street.

4. There should be no animals or poultry of any kind other than domestic house pets. Further, there should be no more than two dogs or two cats (maximum of two animals of any kind on the premises and at any time). Animals **MUST** be living within the home, and shall not be living outside. Further, all parties agree that all Regulations of Warwick Township regarding animals and pets shall be followed and adhered to.

5. There should be no exterior antennas, aerials, satellite dishes or any other transmitting devices in excess of thirty (30) inches. There should never be more than two (2) total at any time on the premises.

6. No poles or appliances upon which to expose laundry shall be maintained on the premises.

7. All trash and garbage must be disposed of through regular collection services, and no trash shall be maintained on the premises at any time. Further, all Warwick Township Zoning legal requirements shall be met as part of this restriction.

8. No outside storage, except for grills and lawn furniture. Specifically, Lot 5, if owned by Roy Zimmerman and/or Esther Zimmerman, their heirs and assigns shall be exempt from this restriction.

9. There shall be no above-ground pools, with the exception of temporary child pools that are no more than five (5) feet in diameter, and shall be stored inside after usage at all times.

10. There shall be no double wide homes or module homes built on the property, but all homes must be stick built, and should be no less than 2500 square feet of living space not including the basement. Further, the developer shall have final approval of all building plans.

11. All parties agree and acknowledge that Brooke Court is intended to be dedicated to Warwick Township. Should Warwick Township not accept their dedication, for any reason, all parties agree and acknowledge that all Lots of Brooke Court shall share equally in the maintenance, upkeep, and/or repair of Brooke Court into the future.

12. All parties agree and acknowledge that there is a certain water tank as required by local, county, and state subdivision requirements is to be maintained specifically on Lot 2 as set forth on the Subdivision Plan. All parties agree and acknowledge that any required maintenance, upkeep, and repairs for the tank shall be shared equally by all lot owners. This includes, but is not limited to, acts of God, sinkholes, and any other actions of any nature which may cause damage or necessitate repair, maintenance, and/or upkeep for said water tank. Again, as set forth in the street restriction in sub-paragraph "11." above, the maintenance, upkeep, and repair of said water tank shall be shared equally by all lot owners.

13. Lot owners shall be responsible for the maintenance and grass and weed control on all that certain bank on the north side of Brooke Court and other grass areas in said area on the north side of Brooke Court. The maintenance, repair, and upkeep is further set forth in a certain Maintenance Agreement executed by Roy Zimmerman with Warwick Township and further recorded in the Office of the Recorder of Deeds in and for the County of Lancaster to Instrument No. 6262700, which terms and conditions are incorporated herein as though fully set forth.

14. All lot owners of Lots, 2, 3, 4 and 5 of Brooke Court shall be responsible to abide by the terms and conditions of these Restrictions and the aforementioned related Restrictions and should any land owner or land owners not financially pay their pro rated share under the terms and conditions of these Restrictions, the remaining land owners may enforce said obligations in the court of jurisdiction in the Commonwealth of Pennsylvania and the land owner or land owners not paying their share shall be responsible for full payment along with court costs, interest and attorney's fees for not abiding by the terms and conditions of these Restrictions and the related documentation referred to in these Restrictions.

15. The terms and conditions of these Restrictions shall be viewed as a covenant running with the land and shall be binding upon the heirs, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the undersigned declarant, has hereunto set his hand and seal to this Declaration the day and year first above-written.


ROY ZIMMERMAN

COMMONWEALTH OF PENNSYLVANIA)

COUNTY OF LANCASTER)

SS:

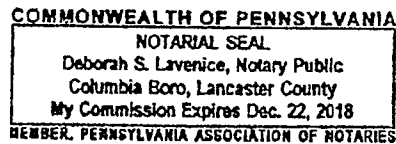
ON THIS, the 1st day of September, 2017, before me, a Notary Public, the undersigned officer, personally appeared Roy Zimmerman, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

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

Deborah S. Lavenice

Notary Public

My commission expires:



**Legal Description – Lot No. 2, Block “A” - Roy W. Zimmerman
Warwick Township, Lancaster County, Pennsylvania**

ALL THAT CERTAIN lot of ground known as Lot No. 2, Block “A”, as shown on a Revised Final Subdivision Plan prepared for Brooke Court (Roy W. Zimmerman) by Diehm & Sons, Inc. (Project No.02012), recorded in the Office of the Recorder of Deeds in and for Lancaster County, Pennsylvania, in Instrument No. 2016-0116-J. Said lot situated on the West side of Clay Road (T-598), and on the South side of Brooke Court, located in the Township of Warwick, County of Lancaster, Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the South right-of-way line of Brooke Court, said point being the Northwest corner of the herein described lot, thence by said south right-of-way line of Brooke Court the following five (5) courses; 1) North eighty-four degrees thirty-four minutes fifty-three seconds East (N 84° 34' 53"E) fifty-nine and fifty-nine hundredths (59.59) feet to a rebar, 2) North eighty-four degrees fifty-six minutes nineteen seconds East (N 84° 56' 19"E) one hundred twenty-nine and seventy-four hundredths (129.74) feet to a point, 3) on a curved line to the right having a radius of one hundred twenty-five and no hundredths (125.00) feet, an arc length of fifty-two and sixty-two hundredths (52.62) feet, the chord thereof being, South eighty-three degrees zero minutes six seconds East (S 83° 00' 06"E) fifty-two and twenty-three hundredths (52.23) feet to a point, 4) South seventy degrees fifty-six minutes thirty-one seconds East (S 70° 56' 31"E) twenty-seven and sixty-seven hundredths (27.67) feet to a rebar, 5) on a curved line to the right having a radius of twenty and no hundredths (20.00) feet, an arc length of thirty-one and forty-two hundredths (31.42) feet, the chord thereof being South twenty-five degrees fifty-six minutes thirty-one seconds East (S 25° 56' 31"E) twenty-eight and twenty-eight hundredths (28.28) feet to a rebar on the West right-of-way line of Clay Road (T-598), thence along said right-of-way line South nineteen degrees three minutes twenty-nine seconds West (S 19° 03' 29"W) two hundred six and twenty-five hundredths (206.25) feet to a rebar, thence by lands of Dennis E. Hess South eighty-four degrees seventeen minutes fifty-two seconds West (S 84° 17' 52"W) one hundred eighty-nine and ninety-nine hundredths (189.99) feet to a rebar, thence by Lot No. 3, Block “A” of the above-referenced plan North five degrees twenty-five minutes seven seconds West (N 05° 25' 07"W) two hundred thirty-eight and sixty-five hundredths (238.65) feet to the **POINT OF BEGINNING**.

CONTAINING 1.298 Acres

BEING a part of the Roy W. Zimmerman deed recorded as Document No. 5061880.

BEING all of Lancaster County Tax Account No. 600-37804-0-0000.

UNDER AND SUBJECT to all notes, easements, conditions, rights-of-way, and restrictions as shown on the above referenced plan and as may exist. Specifically under and subject to the following:

- An easement tested, approved and reserved for a sewage system replacement area. Nothing shall be placed, planted, set or put within this area, nor shall any earthwork be performed within this area that would adversely affect this areas intended use
- A clear sight triangle, no structures, landscaping or grading may be constructed, installed or performed within the area of the clear sight triangle which would obscure the vision of the motorists.
- Storm drainage easements. The owners of the lot will be responsible for the maintenance and any future repair of the proposed storm water management facilities. The individual lot

owner shall be responsible for the on-lot stormwater facility providing stormwater for the individual dwelling unit. The owners of Lot Nos. 2, 3, 4, and 5 shall share maintenance responsibilities relating to the common stormwater facilities associated with the street as further described in a Stormwater Management Maintenance Agreement. See the associated plan notes and Storm Water Management Agreement and Declaration of Easement.

- Maintenance of the vegetative areas within the strip of land between the property line and roadway. This shall include the area of vegetation on the north side of Brooke Court as outlined in a separate maintenance agreement recorded in the Office of the Recorder of Deeds in and for Lancaster County, Pennsylvania, in Instrument No. 6262706.
- A 100' agricultural setback.
- Agricultural Nuisance Disclaimer: All lands within the Agricultural Zone are located within an area where land is used for commercial agricultural production. Owners residents, and other users of this property may be subjected to inconvenience, discomfort and the possibility of injury to property and health arising from normal and accepted agricultural practices and operations including but not limited to noise, odors, dust, the operation of machinery of any kind including aircraft, the storage and disposal of manure, the application of fertilizers, soil amendments, herbicides and pesticides. Owners, occupants and users of this property should be prepared to accept such inconveniences, discomfort and possibility of injury from normal agricultural operations and are hereby put on official notice that Section 4 of the Pennsylvania Act 133 of 1982, "The Right to Farm Law" may bar them from obtaining a legal judgment against such agricultural operations.
- The well should be drilled before house construction in the event the initial well site is not productive, a minimum well spacing of 100 feet between wells.
- Each well should have a final-blown yield of 3 gallons per minute or more; the yield test should be performed for no less than thirty (30) minutes due to the topographic location of the potential well sites. If the blown well yield is less than 3 gallons per minute, the owner will consider either drilling an additional well or installing a larger holding tank or deepen the well for storage to meet the peak demand flow for the proposed dwelling.
- After each well is connected to the domestic water distribution system, the well should be sampled for iron, nitrate, turbidity, total coliform and fecal coliform. If any of these parameters are above the recommended guideline, then the appropriate water treatment system should be installed.

**Legal Description – Lot No. 3, Block “A” - Roy W. Zimmerman
Warwick Township, Lancaster County, Pennsylvania**

ALL THAT CERTAIN lot of ground known as Lot No. 3, Block “A”, as shown on a Revised Final Subdivision Plan prepared for Brooke Court (Roy W. Zimmerman) by Diehm & Sons, Inc. (Project No.02012), recorded in the Office of the Recorder of Deeds in and for Lancaster County, Pennsylvania, in Instrument No. 2016-0116 -J. Said lot situated on the South side of Brooke Court, located in the Township of Warwick, County of Lancaster, Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the South right-of-way line of Brooke Court, said point being the Northwest corner of the herein described lot, thence by the south right-of-way line of said Brooke Court, North eighty-four degrees thirty-four minutes fifty-three seconds East (N 84° 34' 53"E) two hundred forty-five and no hundredths (245.00) feet to a rebar, thence by Lot No. 2, Block “A” of the above-referenced plan South five degrees twenty-five minutes seven seconds East (S 05° 25' 07"E) two hundred thirty-eight and sixty-five hundredths (238.65) feet to a rebar, thence by lands of Dennis E. Hess South eighty-four degrees seventeen minutes fifty-two seconds West (S 84° 17' 52"W) two hundred forty-five and no hundredths (245.00) feet to a rebar, thence by Lot No. 4, Block “A” of the above-referenced plan North five degrees twenty-five minutes seven seconds West (N 05° 25' 07"W) two hundred thirty-nine and eighty-six hundredths (239.86) feet to the **POINT OF BEGINNING**.

CONTAINING 1.346 Acres

BEING a part of the Roy W. Zimmerman deed as recorded as Document No. 5061880.

BEING a part of Lancaster County Tax Account No. 600-12581-0-0000.

UNDER AND SUBJECT to all notes, easements, conditions, rights-of-way, and restrictions as shown on the above referenced plan and as may exist. Specifically under and subject to the following:

- An easement tested, approved and reserved for a sewage system replacement area. Nothing shall be placed, planted, set or put within this area, nor shall any earthwork be performed within this area that would adversely affect this areas intended use
- Storm drainage easements. The owners of the lot will be responsible for the maintenance and any future repair of the proposed storm water management facilities. The individual lot owner shall be responsible for the on-lot stormwater facility providing stormwater for the individual dwelling unit. The owners of Lot Nos. 2, 3, 4, and 5 shall share maintenance responsibilities relating to the common stormwater facilities associated with the street as further described in a Stormwater Management Maintenance Agreement. See the associated plan notes and Storm Water Management Agreement and Declaration of Easement.
- Maintenance of the vegetative areas within the strip of land between the property line and roadway. This shall include the area of vegetation on the north side of Brooke Court as outlined in a separate maintenance agreement recorded in the Office of the Recorder of Deeds in and for Lancaster County, Pennsylvania, in Instrument No. 6262700.
- A 100' agricultural setback.
- Agricultural Nuisance Disclaimer: All lands within the Agricultural Zone are located within an area where land is used for commercial agricultural production. Owners residents, and other users of this property may be subjected to inconvenience, discomfort and the possibility of injury to property and health arising from normal and accepted agricultural practices and operations including but not limited to noise, odors, dust, the operation of machinery of any

kind including aircraft, the storage and disposal of manure, the application of fertilizers, soil amendments, herbicides and pesticides. Owners, occupants and users of this property should be prepared to accept such inconveniences, discomfort and possibility of injury from normal agricultural operations and are hereby put on official notice that Section 4 of the Pennsylvania Act 133 of 1982, "The Right to Farm Law" may bar them from obtaining a legal judgment against such agricultural operations.

- The well should be drilled before house construction in the event the initial well site is not productive, a minimum well spacing of 100 feet between wells.
- Each well should have a final-blown yield of 3 gallons per minute or more; the yield test should be performed for no less than thirty (30) minutes due to the topographic location of the potential well sites. If the blown well yield is less than 3 gallons per minute, the owner will consider either drilling an additional well or installing a larger holding tank or deepen the well for storage to meet the peak demand flow for the proposed dwelling.
- After each well is connected to the domestic water distribution system, the well should be sampled for iron, nitrate, turbidity, total coliform and fecal coliform. If any of these parameters are above the recommended guideline, then the appropriate water treatment system should be installed.

**Legal Description – Lot No. 4, Block “A” - Roy W. Zimmerman
Warwick Township, Lancaster County, Pennsylvania**

ALL THAT CERTAIN lot of ground known as Lot No. 4, Block “A”, as shown on a Revised Final Subdivision Plan prepared for Brooke Court (Roy W. Zimmerman) by Diehm & Sons, Inc. (Project No.02012), recorded in the Office of the Recorder of Deeds in and for Lancaster County, Pennsylvania, in Instrument No. 2016-0116 -J. Said lot situated on the South side of Brooke Court, located in the Township of Warwick, County of Lancaster, Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the South right-of-way line of Brooke Court, said point being the Northwest corner of the herein described lot, thence by the south right of way line of said Brooke Court the following three (3) courses; 1) on a curved line to the left having a radius of fifty and zero hundredths (50.00) feet, an arc distance of eighty-nine and eighty-three hundredths (89.83) feet, the chord thereof being North seventy-two degrees seven minutes thirty seconds East (N 72° 07' 30" E) seventy-eight and twenty-three hundredths (78.23) feet to a rebar, 2) on a curved line to the right having a radius of forty-one and zero hundredths (41.00) feet, an arc distance of forty-five and seventy-four hundredths (45.74) feet, the chord thereof being North fifty-two degrees thirty-seven minutes nine seconds East (N 52° 37' 09" E) forty-three and forty-one hundredths (43.41) feet to a point, 3) North eighty-four degrees thirty-four minutes fifty-three seconds East (N 84° 34' 53"E) one hundred thirty-six and seventy-nine hundredths (136.79) feet to a rebar, thence by Lot No. 3, Block “A” of the above-referenced plan South five degrees twenty-five minutes seven seconds East (S 05° 25' 07"E) two hundred thirty-nine and eighty-six hundredths (239.86) feet to a rebar, thence by lands of Dennis E. Hess South eighty-four degrees seventeen minutes fifty-two seconds West (S 84° 17' 52"W) two hundred fifty and no hundredths (250.00) feet to a rebar, thence by Lot No. 5, Block “A” of the above-referenced plan North five degrees twenty-five minutes seven seconds West (N 05° 25' 07"W) two hundred one and twenty-four hundredths (201.24) feet to the **POINT OF BEGINNING**.

CONTAINING 1.293 Acres

BEING a part of the Roy W. Zimmerman deed as recorded as Document No. 5061880.

BEING all of Lancaster County Tax Account No. 600-87861-0-0000.

UNDER AND SUBJECT to all notes, easements, conditions, rights-of-way, and restrictions as shown on the above-referenced plan and as may exist. Specifically under and subject to the following:

- An easement tested, approved and reserved for a sewage system replacement area. Nothing shall be placed, planted, set or put within this area, nor shall any earthwork be performed within this area that would adversely affect this areas intended use
- Storm drainage easements. The owners of the lot will be responsible for the maintenance and any future repair of the proposed storm water management facilities. The individual lot owner shall be responsible for the on-lot stormwater facility providing stormwater for the individual dwelling unit. The owners of Lot Nos. 2, 3, 4, and 5 shall share maintenance responsibilities relating to the common stormwater facilities associated with the street as further described in a Stormwater Management Maintenance Agreement. See the associated plan notes and Storm Water Management Agreement and Declaration of Easement.
- Maintenance of the vegetative areas within the strip of land between the property line and roadway. This shall include the area of vegetation on the north side of Brooke Court as

outlined in a separate maintenance agreement recorded in the Office of the Recorder of Deeds in and for Lancaster County, Pennsylvania, in Instrument No. 6262700.

- A 100' agricultural setback.
- Agricultural Nuisance Disclaimer: All lands within the Agricultural Zone are located within an area where land is used for commercial agricultural production. Owners residents, and other users of this property may be subjected to inconvenience, discomfort and the possibility of injury to property and health arising from normal and accepted agricultural practices and operations including but not limited to noise, odors, dust, the operation of machinery of any kind including aircraft, the storage and disposal of manure, the application of fertilizers, soil amendments, herbicides and pesticides. Owners, occupants and users of this property should be prepared to accept such inconveniences, discomfort and possibility of injury from normal agricultural operations and are hereby put on official notice that Section 4 of the Pennsylvania Act 133 of 1982, "The Right to Farm Law" may bar them from obtaining a legal judgment against such agricultural operations.
- A drip irrigation replacement sewage system.
- The well should be drilled before house construction in the event the initial well site is not productive, a minimum well spacing of 100 feet between wells.
- Each well should have a final-blown yield of 3 gallons per minute or more; the yield test should be performed for no less than thirty minutes due to the topographic location of the potential well sites. If the blown well yield is less than 3 gallons per minute, the owner will consider either drilling an additional well or installing a larger holding tank or deepen the well for storage to meet the peak demand flow for the proposed dwelling.
- After each well is connected to the domestic water distribution system, the well should be sampled for iron, nitrate, turbidity, total coliform and fecal coliform. If any of these parameters are above the recommended guideline, then the appropriate water treatment system should be installed.

**Legal Description – Lot No. 5, Block “A” - Roy W. Zimmerman
Warwick Township, Lancaster County, Pennsylvania**

ALL THAT CERTAIN lot of ground known as Lot No. 5, Block “A”, as shown on a Revised Final Subdivision Plan prepared for Brooke Court (Roy W. Zimmerman) by Diehm & Sons, Inc. (Project No.02012), recorded in the Office of the Recorder of Deeds in and for Lancaster County, Pennsylvania, in Instrument No. 2016-0116-J. Said lot situated on the South side of Brooke Court, located in the Township of Warwick, County of Lancaster, Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the North right-of-way line of Brooke Court, said point being the Northwest corner of the herein described lot, thence by lands of Richard D. & Betty Jan Bender and Melvin A. & Rebecca E. Miller, respectively North eighty-four degrees thirty-four minutes fifty-three seconds East (N 84° 34' 53"E) two hundred forty-three and four hundredths (243.04) feet to a rebar, thence by the proposed right-of-way of Brook Court the following two (2) courses; 1) South five degrees twenty-five minutes seven seconds East (S 05° 25' 07"E) sixty and zero hundredths (60.00) feet to a point, 2) on a curved line to the left having a radius of fifty and zero hundredths (50.00) feet, an arc distance of forty-five and fifty hundredths (45.50) feet, the chord thereof being South thirty degrees twenty minutes twenty-three seconds East (S 30° 20' 23" E) forty-three and ninety-four hundredths (43.94) feet to a point, thence by Lot No. 4, Block “A” of the above-referenced plan South five degrees twenty-five minutes seven seconds East (S 05° 25' 07"E) two hundred one and twenty-four hundredths (201.24) feet to a rebar, thence by lands of Dennis E. Hess South eighty-four degrees seventeen minutes fifty-two seconds West (S 84° 17' 52"W) two hundred eighty-nine and ninety-five hundredths (289.95) feet to a point, thence by lands of Scott N. & Sharon L. Rehm North zero degrees three minutes twenty-eight seconds West (N 00° 03' 28"W) three hundred three and eighty-six hundredths (303.86) feet to the **POINT OF BEGINNING**.

CONTAINING 1.873 Acres

BEING a part of the Roy W. Zimmerman deed as recorded as Document No. 5061880.

BEING all of Lancaster County Tax Account No. 600-61266-0-0000.

UNDER AND SUBJECT to all notes, easements, conditions, rights-of-way, and restrictions as shown on the above referenced plan and as may exist. Specifically under and subject to the following:

- An easement tested, approved and reserved for a sewage system replacement area. Nothing shall be placed, planted, set or put within this area, nor shall any earthwork be performed within this area that would adversely affect this areas intended use
- Storm drainage easements. The owners of the lot will be responsible for the maintenance and any future repair of the proposed storm water management facilities. The individual lot owner shall be responsible for the on-lot stormwater facility providing stormwater for the individual dwelling unit. The owners of Lot Nos. 2, 3, 4, and 5 shall share maintenance responsibilities relating to the common stormwater facilities associated with the street as further described in a Stormwater Management Maintenance Agreement. See the associated plan notes and Storm Water Management Agreement and Declaration of Easement.
- Maintenance of the vegetative areas within the strip of land between the property line and roadway. This shall include the area of vegetation on the north side of Brooke Court as outlined in a separate maintenance agreement recorded in the Office of the Recorder of Deeds in and for Lancaster County, Pennsylvania, in Instrument No. _____.

- A 100' agricultural setback.
- Agricultural Nuisance Disclaimer: All lands within the Agricultural Zone are located within an area where land is used for commercial agricultural production. Owners residents, and other users of this property may be subjected to inconvenience, discomfort and the possibility of injury to property and health arising from normal and accepted agricultural practices and operations including but not limited to noise, odors, dust, the operation of machinery of any kind including aircraft, the storage and disposal of manure, the application of fertilizers, soil amendments, herbicides and pesticides. Owners, occupants and users of this property should be prepared to accept such inconveniences, discomfort and possibility of injury from normal agricultural operations and are hereby put on official notice that Section 4 of the Pennsylvania Act 133 of 1982, "The Right to Farm Law" may bar them from obtaining a legal judgment against such agricultural operations.
- Utility easement.
- The well should be drilled before house construction in the event the initial well site is not productive, a minimum well spacing of 100 feet between wells.
- Each well should have a final-blown yield of 3 gallons per minute or more; the yield test should be performed for no less than thirty minutes due to the topographic location of the potential well sites. If the blown well yield is less than 3 gallons per minute, the owner will consider either drilling an additional well or installing a larger holding tank or deepen the well for storage to meet the peak demand flow for the proposed dwelling.
- After each well is connected to the domestic water distribution system, the well should be sampled for iron, nitrate, turbidity, total coliform and fecal coliform. If any of the parameters are above a recommended guideline than the appropriate water treatment system should be installed.