

**SIXTH AMENDED DECLARATION OF WHISPERING WOODS ESTATES, A  
PLANNED COMMUNITY**

This Sixth Amended Declaration is made on this \_\_\_ day of May, 2011, by Whispering Woods Community Association. This Sixth Amended Declaration is made by the Whispering Woods Community Association pursuant to Section 5219 of the Pennsylvania Uniform Planned Community Act, 68 Pa.C.S. §5219 as amended for the purpose of amending the Declaration of Whispering Woods Estates, a planned community, as recorded in Erie County Record Book 656, at page 1916 the "Declaration", as amended. Unless otherwise defined herein, the terms of this Sixth Amended Declaration shall have the meanings assigned by the Act and the Declaration.

The reasons for this Sixth Amended Declaration are as follows:

WHEREAS, the existing Declaration contains restrictions found on Exhibit B, Paragraph 28 "Antennas and Dishes" and provides "No television tower, radio tower or antenna, and no television, radio or satellite dish shall be placed on any unit in the Planned Community without prior written approval of the Declarant."

WHEREAS restrictions impairing reception of direct broadcast satellite services is controlled by the Federal Communications Commission ("FCC") regulations which would preempt broad restrictions on satellite dishes as set forth in the Declaration.

WHEREAS the Declaration must be amended in order to comply with the FCC regulations.

NOW THEREFORE, pursuant to Section 5219 of the Act, the Whispering Woods Community Association amends Paragraph 28, Exhibit B of the Declaration as amended as follows:

1. 28. Antennas and Dishes. No television, tower, radio tower or antenna, and no television, radio or satellite dish shall not be placed on in any front yard of any unit in the Planned Community, unless an acceptable quality signal cannot be received by the unit in any other location of the unit. The television tower, radio tower or antenna, television, radio or satellite dish may be placed in the front yard only if placement in another location within the unit's property would impose an unreasonable expense or delay or preclude reception of an acceptable quality signal. The Owner of the unit must provide written evidence submitted to the Association's Board of Directors from duly qualified television tower, radio tower or antenna or television, radio or satellite dish installer that the installation of the antenna or satellite dish would result in an unreasonable increase of cost or unacceptable quality of signal then said antenna or satellite dish may be placed in the front yard. If placement in the front yard is approved by the Board of Directors then it must be hidden from view from the street as reasonably as possible so as to not prevent an unacceptable quality signal.

2. Except as amended hereby, the Declaration as amended will remain in full force and effect in accordance with the terms and conditions and shall govern the real estate depicted as part of Whispering Woods Estates.

IN WITNESS WHEREOF the Association Officers have executed this Sixth Amended Declaration as of the day and year first written above.

WHISPERING WOODS COMMUNITY ASSOCIATION

\_\_\_\_\_  
Diane Gotkin, Secretary

\_\_\_\_\_  
John Stefanik, President

**ACKNOWLEDGMENT**

STATE OF PENNSYLVANIA :  
: SS.  
COUNTY OF ERIE :

On this, the \_\_\_\_ day of May, 2011, before me, a Notary Public in and for said County and State, personally appeared Diane Gotkin, Secretary, of the Whispering Woods Community Association, known to me to be the person whose name is subscribed to the foregoing Easement, and acknowledged that he executed the same on behalf of the Whispering Woods Community Association for the purposes set forth therein, being fully authorized to do so.

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

(SEAL)

\_\_\_\_\_  
Notary Public

**ACKNOWLEDGMENT**

STATE OF PENNSYLVANIA :  
: SS.  
COUNTY OF ERIE :

On this, the \_\_\_\_ day of May, 2011, before me, a Notary Public in and for said County and State, personally appeared John Stefanik, President, of the Whispering Woods Community Association, known to me to be the person whose name is subscribed to the foregoing Easement, and acknowledged that he executed the same on behalf of the Whispering Woods Community Association for the purposes set forth therein, being fully authorized to do so.

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

(SEAL)

\_\_\_\_\_  
Notary Public