

# SWEENEY, COHN, STAHL, SPECTOR & FRANK

ATTORNEYS AT LAW

LEO A. SWEENEY (1926-2004)  
JULIUS W. COHN\*  
CARL STAHL (1946-2008)  
WAYNE H. SPECTOR  
STEPHEN D. FRANK

200 EAST POST ROAD  
WHITE PLAINS, NEW YORK 10601-4959  
(914) 428-0505

350 EAST LAS OLAS BLVD.  
SUITE 1700  
FT. LAUDERDALE, FLORIDA 33301  
(954) 779-2750

Also admitted in Florida\*  
Firm Founded 1971

FACSIMILE: (914) 428-0519

11 PEEKSKILL HOLLOW ROAD  
PUTNAM VALLEY, NEW YORK 10579  
(845) 528-6304

EMAIL: attorneys@sweeney-cohn.com

November 6, 2009

BelleFair Homeowners Association, Inc.  
24 BelleFair Boulevard  
Rye Brook, New York 10573  
Attn.: Mr. John Bladel, Property Manager

Re: Recorded Amendment to Declaration of Covenants, Restrictions, Easements, Charges  
and Liens

Dear John:

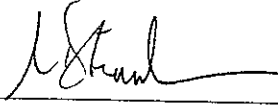
I am enclosing the original Amendment No. 1 to BelleFair's Declaration. It was recorded in the Westchester County Clerk's Office on October 13, 2009 under Control No. 492690084 and returned to me today. A copy should be posted on the BelleFair website and the original document retained indefinitely in a secure and fireproof location.

Please acknowledge receipt of the Amendment by signing your name on the line provided below on the enclosed copy of this letter and returning the signed copy to me. A self addressed envelope is enclosed for your use.

Very truly yours,

Sweeney, Cohn, Stahl, Spector & Frank

by: \_\_\_\_\_

  
Stephen D. Frank

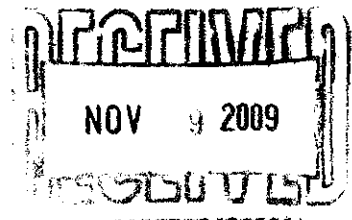
SDF:ls

Encl.

cc.: American Leisure Corp (with copy of enclosure)

**RECEIPT ACKNOWLEDGED:**

\_\_\_\_\_  
John Bladel





\*492690084DLR1\*

Control Number  
492690084

Instrument Type  
DLR



WESTCHESTER COUNTY RECORDING AND ENDORSEMENT PAGE  
(THIS PAGE FORMS PART OF THE INSTRUMENT)  
\*\*\* DO NOT REMOVE \*\*\*

THE FOLLOWING INSTRUMENT WAS ENDORSED FOR THE RECORD AS FOLLOWS:  
TYPE OF INSTRUMENT: DLR - DECLARATION  
FEE PAGES: 4                      TOTAL PAGES: 4

RECORDING FEES

STATUTORY CHARGE	\$21.50
RECORDING CHARGE	\$20.00
RECORD MGT. FUND	\$19.00
RP 5217	\$0.00
TP-584	\$0.00
CROSS REFERENCE	\$0.50
MISCELLANEOUS	\$0.00
<b>TOTAL FEES PAID</b>	<b>\$61.00</b>

MORTGAGE TAXES

MORTGAGE DATE	
MORTGAGE AMOUNT	\$0.00
EXEMPT	
COUNTY TAX	\$0.00
YONKERS TAX	\$0.00
BASIC	\$0.00
ADDITIONAL	\$0.00
MTA	\$0.00
SPECIAL	\$0.00
<b>TOTAL PAID</b>	<b>\$0.00</b>

TRANSFER TAXES

CONSIDERATION	\$0.00
TAX PAID	\$0.00
TRANSFER TAX #	

SERIAL NUMBER:  
DWELLING:

RECORDING DATE: 10/13/2009  
TIME: 14:12:00

THE PROPERTY IS SITUATED IN  
WESTCHESTER COUNTY, NEW YORK IN THE:  
TOWN OF RYE  
TOWN OF HARRISON

WITNESS MY HAND AND OFFICIAL SEAL

TIMOTHY C. IDONI  
WESTCHESTER COUNTY CLERK

Record & Return to:  
SWEENEY COHN STAHL SPECTOR & FRA  
200 E POST RD

WHITE PLAINS, NY 10601

AMENDMENT NO. 1 TO DECLARATION OF COVENANTS  
RESTRICTIONS, EASEMENTS, CHARGES AND LIENS  
related to Premises known as BELLEFAIR AT RYE BROOK  
Original DECLARATION dated: May 24, 1999  
Original DECLARATION filed: May 25, 1999 in the Office of the Westchester  
County Clerk at Liber 12302 at page 215

The Declaration is amended as follows:

1. Paragraph 6 (Basketball Backboards) of Schedule D (ARCHITECTURAL CONTROL GUIDELINES) , Section B (Specific Guidelines), is deleted in its entirety.

2. Paragraph 6 (Basketball Backboards) of Schedule D (ARCHITECTURAL CONTROL GUIDELINES), Section B (Specific Guidelines) shall read as follows:

6. Basketball Backboards

Basketball backboards are permitted only for Single Family Homes and will not require the approval of the ARB, so long as they meet the following criteria. House or garage mounted backboards are permitted. House or garage mounted backboards shall be clear or painted with a flat paint to match the color of the surface behind, either roofing or siding. Portable backboards are permitted in the driveway. Free standing backboards mounted on poles may be permitted on a case by case basis following ARB approval but, in no event, shall approval be granted for free standing backboards mounted on poles erected or situated in any roadway, cul-de-sac or common area of the property.

SBL 1-3-1A2, 1B2, 1A1-1, 6 TOWN OF RYE  
SBL 661-606 TOWN OF HARRISON  
Dated: September 3, 2009  
Rye Brook, New York

RECORD & RETURN TO:  
Sweeney, Cohn, Stahl, Spector & Frank  
200 E. Post Road  
White Plains, New York 10601  
Attn.: Stephen D. Frank, Esq.

CERTIFICATION

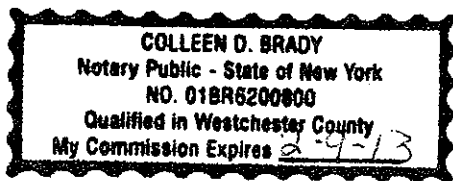
I, Janis Knorr, being the Secretary of the Board of Directors of BelleFair Homeowners Association, Inc., a New York Not For Profit Corporation, with an address c/o American Leisure Corporation, 414 Airport Executive Park, Nanuet, New York 10954 and whose Declaration of Covenants, Restrictions, Easements, Charges and Liens and By-Laws, relating to premises known as BelleFair at Rye Brook, has previously been recorded on May 25, 1999 in the Office of the Westchester County Clerk in Liber 12302 of Conveyances at page 215, do hereby certify that the within Amendment No. 1 to the Declaration of the Covenants, Restrictions, Easements, Charges and Liens, reflecting an amendment to paragraph 6, Section B of Schedule D of such Declaration was duly approved by an instrument signed by not less than eighty percent (80%) of the Homeowners and the holders of any permitted Mortgage agreeing to change said paragraph 6, Section B of said Schedule D.

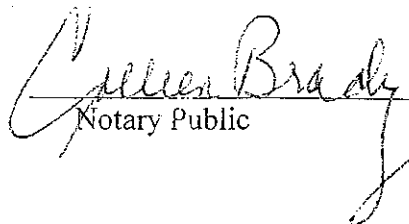
Witness my signature as <sup>\*</sup>Secretary of the Board of Directors of BelleFair Homeowners Association, Inc. this 3<sup>rd</sup> day of September, 2009.

  
\* Janis Knorr

STATE OF NEW YORK                    )  
  )ss.:  
COUNTY OF WESTCHESTER        )

On this 3<sup>rd</sup> day of September, 2009, before me, the undersigned, a notary public in and for said state, personally appeared Janis Knorr, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



  
Notary Public

# WESTCHESTER COUNTY CLERK RECORDING SHEET

110 Dr. Martin Luther King, Jr. Boulevard      White Plains, NY 10601

----- THIS FORM MUST BE COMPLETED AND SUBMITTED WITH EACH DOCUMENT -----

This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this document.  
To the best of the submitter's knowledge the information contained on this Recording Sheet is consistent with the information contained in the attached document.

**SUBMITTER INFORMATION:**

Title Number: LT AR 1119

Company: Land Transfer, Ltd.

Address: 188 East Post Road, Suite #200

City White Plains      State: NY      Zip: 10601      Telephone: (914) 684-9835

Attention: Gordon B. Perkel, Esq.

Document type: <u>AMENDMENT TO DECLARATION</u> On page ____ of document	# of pages - <u>2</u>	Mortgage Amount On page ____ of document \$ _____ OR Consideration/Conveyance Amt: \$ _____	Dwelling Type: For Mortgage Only On page ____ of document <input type="checkbox"/> 1 to 2 family <input type="checkbox"/> 1 to 6 family <input type="checkbox"/> Not 1 to 6 family												
1st party name(s) (i.e. grantor/mortgagor) On page ____ of document <u>BELLEFAIR AT RYE</u>	Business Entity <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Check if submitted: <input type="checkbox"/> RP-5217 - <input type="checkbox"/> \$125 <input type="checkbox"/> \$250 <input type="checkbox"/> TP-584 - Type of property conveyed [1 through 8] _____ <input type="checkbox"/> TP-584.1 <input type="checkbox"/> IT-2663													
2nd party name(s) (i.e. grantee/mortgagee) On page ____ of document	Business Entity <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	TAXES PAID: <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="width: 20%;">Amount</th> <th style="width: 20%;">Reference # Or Check #</th> </tr> </thead> <tbody> <tr> <td>Mortgage Tax</td> <td>\$ _____</td> <td>_____</td> </tr> <tr> <td>Transfer Tax</td> <td>\$ _____</td> <td>_____</td> </tr> <tr> <td>Mansion Tax</td> <td>\$ _____</td> <td>_____</td> </tr> </tbody> </table>			Amount	Reference # Or Check #	Mortgage Tax	\$ _____	_____	Transfer Tax	\$ _____	_____	Mansion Tax	\$ _____	_____
	Amount	Reference # Or Check #													
Mortgage Tax	\$ _____	_____													
Transfer Tax	\$ _____	_____													
Mansion Tax	\$ _____	_____													
Tax designation (Section, Block & Lot) On page ____ of document <u>1-3 - 1A2, 1B2, 1A1-1, 6 (RYE)</u> <u>PLK 661 LOT 606 (HARRISON)</u>		MORTGAGE TAX AFFIDAVITS SUBMITTED: <input type="checkbox"/> 252 <input type="checkbox"/> 255 <input type="checkbox"/> 280    Other: _____ <input type="checkbox"/> 253 <input type="checkbox"/> 260 <input type="checkbox"/> 339-ee    _____													
City(ies) or Town(s) for Property Description On page ____ of document <u>TOWN OF RYE</u> <u>TOWN OF HARRISON</u>		Cross Reference(s):      On page ____ of document _____ _____													
Property Description -- If required, check the one contained within the document. On page ____ of document <input type="checkbox"/> Metes & bounds <input type="checkbox"/> Lot number on map filed in the Office of the County Clerk <input type="checkbox"/> Refer to deed recorded in the Office of the County Clerk		Record and Return To: <u>SWEENEY, COHN, STAHL + FRANK</u> <u>200 E. POST RD</u> <u>WHITE PLAINS, NY 10601</u> <u>ATTN: STEPHEN D. FRANK ESQ</u>													