

Tax Parcel Numbers: See Attached

Prepared by and Return to:
Breezewood Homeowners Association
P.O. Box 105
Nassau, DE 19969

**THIRD AMENDMENT TO RESTRICTIONS FOR
BREEZEWOOD-AT-REHOBOTH**

This Third Amendment to Restrictions for Breezewood-at-Rehoboth ("Amended Restrictions") is made effective as of _____, 2025 by the Board of Directors (the "Board") of the Breezewood Homeowners Association, a Delaware non-profit corporation (the "Association").

WHEREAS, by agreement recorded in the Office of the Recorder of Deeds, in and for Sussex County, in Georgetown, Delaware, in Deed Book 675, Page 786, *et seq.*, on November 22, 1971, certain covenants and restrictions were placed upon Breezewood-at Rehoboth (the "Restrictions");

WHEREAS, the Restrictions were modified by that certain Modification Agreement, recorded in the Office of the Recorder of Deeds, in and for Sussex County, in Georgetown, Delaware, in Deed Book 705, Page 61, *et seq.*, on April 27, 1973;

WHEREAS, the Restrictions were further modified by that certain Confirmation of Front Yard Setback for all Lots Fronting on Interior Streets in Breezewood at Rehoboth, recorded in the Office of the Recorder of Deeds, in and for Sussex County, in Georgetown, Delaware, in Deed Book 1986, Page 205, *et seq.*, on June 20, 1994;

WHEREAS, Paragraph R of the Restrictions provides that the Restrictions may be modified in whole in or in part by vote of a majority of the then owners or lessees of the buildings sites;

WHEREAS, pursuant to 25 *Del. C.* § 81-310(f), any action that the association may take at any meeting of members may be taken without a meeting if the association delivers a written or electronic ballot to every member entitled to vote on the matter;

WHEREAS, in accordance with the authority and process established in Paragraph R of the Restrictions and 25 *Del. C.* § 81-310(f), not less than a majority of the lot owners or lessees of Breezewood Homeowners Association (the "Association" or "HOA") voted by ballot to affirm and consent to amend the Restrictions as hereinafter set forth; and

NOW, THEREFORE the Restrictions are hereby amended as follows:

1. The following shall be added to paragraph I of Section 1:

"All dogs must be on leashes. The HOA may levy a Two Hundred Fifty Dollar (\$250) fine per occurrence for failure to cleanup animal waste on common areas."

2. The following shall be added to paragraph L of Section 1:

"Any trash that cannot be removed by GFL on Monday morning must be privately hauled away on Monday. If not removed by 5 PM on Monday, the HOA may levy a Two Hundred Fifty Dollar (\$250) fine per day until removed."

3. The following shall be added as a new paragraph X to Section 1:

"X. Owners of a dwelling/property used for short-term rental (which, as used throughout these Restrictions, shall have the same meaning as defined in Title 30, Chapter 62 of the Delaware Code, as amended from time to time), must provide the Association with the following:

- a copy of the written lease agreement which shall expressly provide that the terms of such lease shall be subject in all respects to the provisions of the Restrictions, the Certificate of Incorporation, Bylaws and other rules and regulations of the Association, and that any failure by the lessee to comply with the terms of such document shall be a default under such lease;
- a copy of the property owners Certificate of Insurance for Commercial Liability and Property;
- a letter indemnifying the HOA for any lawsuit brought by renters of a short-term rental;
- an owners contact number to be reached twenty-four (24) hours a day seven (7) days a week."

4. The following shall be added as a new paragraph Y to Section 1:

"Y. A Six Hundred and Fifty Dollar (\$650.00) annual fee per short-term rental property will be due on August 30, 2024, and January 30th of each year beginning in 2025. The annual fee may be adjusted by the Board semi-annually based upon but not limited to, inflation and the short-term rental impact to the development."

5. The following shall be added as a new paragraph Z to Section 1:

"Z. Advertisement of the park and/or common area as an amenity on any short-term rental is prohibited."

6. The following shall be added as a new paragraph AA to Section 1:

"AA. Short term rentals must limit vehicles to the driveway. There will be no on street parking of any vehicles at a short-term rental property. No vehicles will park on any part of a lot

Exhibit "A"

CERTIFICATION BY BREEZEWOOD HOMEOWNERS ASSOCIATION, PERTAINING TO THIRD AMENDMENT TO RESTRICTIONS FOR BREEZEWOOD-AT-REHOBOTH

BREEZEWOOD HOMEOWNERS ASSOCIATION (the "Association"), a Delaware non-profit corporation, by and through its Board President, does hereby make this CERTIFICATION, which is made and kept in the regular course of business of the Association, as a regular practice of the Board to make this Certification, and as a regularly maintained business record, to certify that the foregoing amendment to the Restrictions recorded in the Office of the Recorder of Deeds, in and for Sussex County, in Georgetown, Delaware, in Deed Book 675, Page 786, *et seq.*, on November 22, 1971, as amended (hereinafter referred to as "Restrictions"), has been approved by no less than a majority of owners or lessees pursuant to Paragraph R of the Restrictions.

I, Michael Furnari, President of the Board of the Association, hereby certify that the Restrictions have been amended pursuant to a vote of no less than a majority of the owners or lessees in the Association. Pursuant to the authority and process established in Paragraph R, the Restrictions may be amended by an affirmative vote of a majority of the owners or lessees. In accordance with said authority and the process set forth in 25 *Del. C.* § 81-310(f), not less than a majority of the owners or lessees voted to affirm and consent to amend the Restrictions as set forth herein.

IN WITNESS WHEREOF, the Breezewood Homeowners Association caused these presents to be signed and sealed by its President and attested by its Secretary on this 5th day of March A.D. 2025.

BREEZEWOOD HOMEOWNERS ASSOCIATION

By: 

Michael S. Furnari, President

By: _____

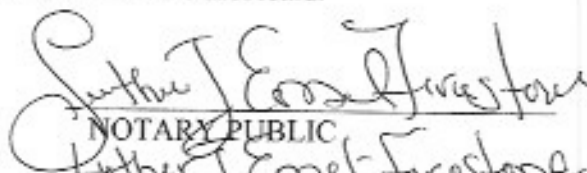
Jennifer L. Jones, Secretary

STATE OF DELAWARE :
: ss.
COUNTY OF SUSSEX :

On this 5th of March, 2025, before me, a Notary Public for the State and County aforesaid, personally appeared Michael S. Furnari, President of Breezewood Homeowners Association, known to me personally to be such, and he acknowledged this Indenture to be his act and deed and the act and deed of Breezewood Homeowners Association.

GIVEN under my hand and seal of office, on the date aforesaid.

LUTHER J EMEL-FIRESTONE
Notary Public
STATE OF DELAWARE
My Commission Expires 07-24-2028


NOTARY PUBLIC
Luther J Emel-Firestone
Type or Print Name of Notary

Commission Expires: 7/24/2028

Exhibit "A"

CERTIFICATION BY BREEZEWOOD HOMEOWNERS ASSOCIATION, PERTAINING TO THIRD AMENDMENT TO RESTRICTIONS FOR BREEZEWOOD-AT-REHOBOTH

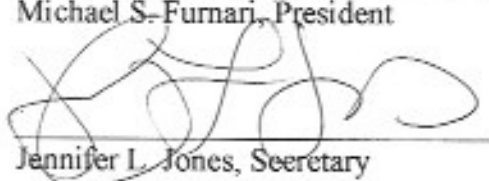
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BREEZEWOOD HOMEOWNERS ASSOCIATION

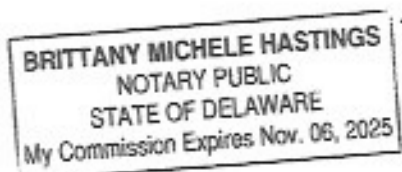
By: _____
Michael S. Furnari, President


By:  _____
Jennifer I. Jones, Secretary

STATE OF DELAWARE :
: ss.
COUNTY OF SUSSEX :

On this 3rd of March, 2025, before me, a Notary Public for the State and County aforesaid, personally appeared Jennifer L. Jones, Secretary of Breezewood Homeowners Association, known to me personally to be such, and they acknowledged this Indenture to be their act and deed and the act and deed of Breezewood Homeowners Association

GIVEN under my hand and seal of office, on the date aforesaid.




NOTARY PUBLIC
Brittany Hastings
Type or Print Name of Notary

Commission Expires: Nov. 06, 2025

except for the driveway. Motor Homes are prohibited by the existing covenants. No major mechanical work shall be performed on any vehicle at a short-term rental property."

7. The following shall be added as a new paragraph BB to Section 1:

"BB. The operation of drones is strictly prohibited within the Breezewood neighborhood. Short-term rental occupants are expected to comply with quiet hours between 10:30 pm to 9:30 am daily."

8. The following shall be added as a new paragraph CC to Section 1:

"CC. Legal fees, interest and administrative fees incurred for enforcement of the STATEMENT OF RESERVATIONS, RESTRICTIONS, TAXES AND ASSESSMENTS and these specific rules related to Short Term Rental Properties shall be the responsibility of the owner of the short-term rental property. No portion (other than the whole) of a lot or dwelling may be leased/rented. The HOA may adopt rules and regulations pertaining to short-term rentals including the enforcement of this lease restriction."

IN WITNESS WHEREOF, the Association has caused these presents to be signed and sealed by its President and attested by its Secretary on this 5th day of March, 2025.

**BREEZEWOOD HOMEOWNERS
ASSOCIATION**

By: 
Michael S. Furnari, President

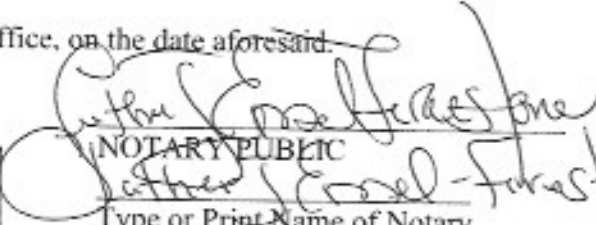
By: _____
Jennifer L. Jones, Secretary

STATE OF DELAWARE :
: ss.
COUNTY OF SUSSEX :

On this 5th of March, 2025, before me, a Notary Public for the State and County aforesaid, personally appeared Michael S. Furnari, President of Breezewood Homeowners Association, known to me personally to be such, and he acknowledged this Indenture to be his act and deed and the act and deed of Breezewood Homeowners Association.

GIVEN under my hand and seal of office, on the date aforesaid.

LUTHER J EMEL-FIRESTONE
Notary Public
STATE OF DELAWARE
My Commission Expires 07-24-2028


NOTARY PUBLIC

Type or Print Name of Notary

Commission Expires: 7/24/2028

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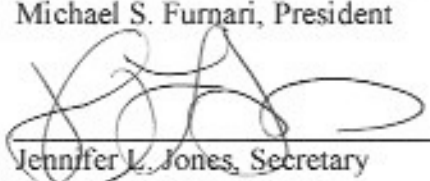
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**BREEZEWOOD HOMEOWNERS
ASSOCIATION**

By: _____
Michael S. Furnari, President


By:  _____
Jennifer L. Jones, Secretary

STATE OF DELAWARE :
 : ss.
COUNTY OF SUSSEX :

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GIVEN under my hand and seal of office, on the date aforesaid.

BRITTANY MICHELE HASTINGS
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires Nov. 06, 2025


NOTARY PUBLIC
Brittany Hastings
Type or Print Name of Notary

Commission Expires: Nov. 6, 2025

APPENDIX 1

TAX PARCEL NUMBERS

334-13.00-187.00	334-13.00-212.00	334-13.00-237.00
334-13.00-188.00	334-13.00-213.00	334-13.00-238.00
334-13.00-189.00	334-13.00-214.00	334-13.00-239.00
334-13.00-190.00	334-13.00-215.00	334-13.00-240.00
334-13.00-191.00	334-13.00-216.00	334-13.00-241.00
334-13.00-192.00	334-13.00-217.00	334-13.00-242.00
334-13.00-193.00	334-13.00-218.00	334-13.00-243.00
334-13.00-194.00	334-13.00-219.00	334-13.00-244.00
334-13.00-195.00	334-13.00-220.00	334-13.00-247.00
334-13.00-196.00	334-13.00-221.00	334-13.00-248.00
334-13.00-197.00	334-13.00-222.00	334-13.00-249.00
334-13.00-198.00	334-13.00-223.00	334-13.00-249.01
334-13.00-199.00	334-13.00-224.00	334-13.00-250.00
334-13.00-200.00	334-13.00-225.00	334-13.00-251.00
334-13.00-201.00	334-13.00-226.00	334-13.00-252.00
334-13.00-202.00	334-13.00-227.00	334-13.00-253.00
334-13.00-203.00	334-13.00-228.00	334-13.00-254.00
334-13.00-204.00	334-13.00-229.00	334-13.00-255.00
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334-13.00-208.00	334-13.00-233.00	334-13.00-259.00
334-13.00-209.00	334-13.00-234.00	334-13.00-260.00
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334-13.00-265.00	334-13.00-293.00	334-13.00-382.00
334-13.00-266.00	334-13.00-294.00	334-13.00-383.00
334-13.00-267.00	334-13.00-295.00	334-13.00-384.00
334-13.00-268.00	334-13.00-296.00	334-13.00-385.00
334-13.00-269.00	334-13.00-297.00	334-13.00-386.00
334-13.00-270.00	334-13.00-298.00	334-13.00-387.00
334-13.00-271.00	334-13.00-299.00	334-13.00-388.00
334-13.00-272.00	334-13.00-300.00	334-13.00-389.00
334-13.00-273.00	334-13.00-301.00	334-13.00-390.00
334-13.00-274.00	334-13.00-302.00	334-13.00-391.00
334-13.00-275.00	334-13.00-364.00	334-13.00-392.00
334-13.00-276.00	334-13.00-365.00	334-13.00-393.00
334-13.00-277.00	334-13.00-366.00	334-13.00-394.00
334-13.00-278.00	334-13.00-367.00	334-13.00-395.00
334-13.00-279.00	334-13.00-368.00	334-13.00-396.00
334-13.00-280.00	334-13.00-369.00	334-13.00-397.00
334-13.00-281.00	334-13.00-370.00	334-13.00-398.00
334-13.00-282.00	334-13.00-371.00	334-13.00-399.00
334-13.00-283.00	334-13.00-372.00	334-13.00-400.00
334-13.00-284.00	334-13.00-373.00	334-13.00-401.00
334-13.00-285.00	334-13.00-374.00	334-13.00-402.00
334-13.00-286.00	334-13.00-375.00	334-13.00-403.00
334-13.00-287.00	334-13.00-376.00	334-13.00-404.00
334-13.00-288.00	334-13.00-377.00	334-13.00-405.00
334-13.00-289.00	334-13.00-378.00	334-13.00-406.00
334-13.00-290.00	334-13.00-379.00	334-13.00-407.00

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334-13.00-410.00	334-13.00-438.00
334-13.00-411.00	334-13.00-439.00
334-13.00-412.00	334-13.00-440.00
334-13.00-413.00	334-13.00-441.00
334-13.00-414.00	334-13.00-442.00
334-13.00-415.00	334-13.00-443.00
334-13.00-416.00	334-13.00-444.00
334-13.00-417.00	334-13.00-446.00
334-13.00-418.00	334-13.00-448.00
334-13.00-419.00	334-13.00-449.00
334-13.00-420.00	334-13.00-451.00
334-13.00-421.00	334-13.00-452.00
334-13.00-422.00	334-13.00-453.00
334-13.00-423.00	334-13.00-454.00
334-13.00-424.00	334-13.00-455.00
334-13.00-425.00	334-13.00-456.00
334-13.00-426.00	334-13.00-457.00
334-13.00-427.00	334-13.00-458.00
334-13.00-428.00	334-13.00-459.00
334-13.00-429.00	
334-13.00-430.00	
334-13.00-431.00	
334-13.00-432.00	
334-13.00-433.00	
334-13.00-434.00	
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