

Return To: TAX MAP # p/o 3-35 5.00 70.00
Prepared By: Tunnell & Raysor
P.O. Box 151
Georgetown, DE 19947
HAB/jdb

**AMENDMENT TO
CODE OF REGULATIONS
FOR
NASSAU GROVE**

THIS AMENDED CODE OF REGULATIONS is made and executed this 15th day of January, 2009, by K. HOVNANIAN HOMES OF DELAWARE, LLC, [hereinafter referred to as the "Developer" or "Declarant", as the case may be], a Delaware Limited Liability Company; and

WHEREAS, the Property is comprised of certain real property located on the westerly side of Route 1, in Lewes and Rehoboth Hundred, Sussex County, Delaware, [hereinafter referred to as the "Property"], said property having been submitted to the provisions of the Unit Property Act of the State of Delaware (Del. C. of 1974, as amended, Title 25, Sections 2201-2242), by the Declaration of K. Hovnanian Homes of Delaware, LLC, a Delaware Limited Liability Company, recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, simultaneously herewith, in Deed Book 3476, at page 142, as amended, and shall hereinafter be known as (hereinafter called the "Condominium") and as shown on the Declaration Plan recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware in Plot Book 114, page 220, as amended; and as authorized pursuant to the Code of Regulations filed of record in Deed Book 3476, Page 176; and

WHEREAS, the Developer desires to amend the Code of Regulations as set forth hereinafter; and

WHEREAS, pursuant to the authority established in the Code of Regulations in Article 13 and pursuant to the Irrevocable Power of Attorney Coupled with an Interest granted it, the Code of Regulations may be amended by the Developer.

NOW THEREFORE, K. Hovnanian Homes of Delaware, LLC, does hereby amend and restate the following paragraph to the Code of Regulations, and does hereby declare that the amended provision shall be of full force and effect as if included in the original Code of Regulations filed of record in Deed Book 3476, Page 176 and hereafter shall run with, burden and bind the Property and the Property is and shall be held, transferred, sold, conveyed, occupied and used subject to the Restrictions as hereinafter set forth and shall take effect January 1, 2009.

Amended Section 5.1 (e) Initial Assessment. When the first Council appointed by the Developer under this Code of Regulations takes office, it may determine the budget, as defined in this Section, for the period commencing upon the sale of the first Unit by the Developer and

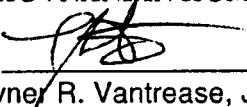
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ending on the calendar year in which such first sale occurs. Until changed by the Council, an initial assessment due from each Unit Owner on the sale of a Unit from the Developer, or upon the resale of a unit to a third party if the Council shall decide, shall be SIX HUNDRED DOLLARS (\$600.00) per Unit to capitalize the Council's operation and reserve account. Said Assessment shall be prorated for the calendar year in which first sale occurs. This account, if held by Owner, shall be transferred to the Association for deposit in a segregated fund when control of the Association is transferred to the Unit Owners. Owner shall not use paid account for any purposes unrelated to Association purposes. The Managing Agent shall have the right to collect an initial setup upon the sale of a unit to a new Unit Owner.

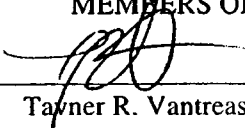
IN WITNESS WHEREOF, K. HOVNIANIAN HOMES OF DELAWARE, L.L.C., pursuant to the provisions of Article 13 of the Code of Regulations and pursuant to the irrevocable power of attorney coupled with an interest granted it as Developer by all individual owners, NASSAU GROVE, hereby makes and files this Amendment to the Code of Regulation, so saith K. HOVNIANIAN HOMES OF DELAWARE, LLC, and the members of Council, this 15th day of January, A.D. 2009.

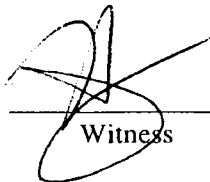
Developer

K. HOVNIANIAN HOMES OF DELAWARE, L.L.C.

By:  (SEAL)
Tavner R. Vantrease, Jr., Authorized Agent

MEMBERS OF COUNCIL

 (SEAL)
Tavner R. Vantrease, Jr.



Witness

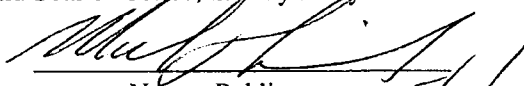
Witness

Witness

Manyland
STATE OF ~~DELAWARE~~ :
Kent : SS.
COUNTY OF ~~SUSSEX~~ :

BE IT REMEMBERED, That on this 15th day of January, A.D. 2009, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid Tavner R. Vantrease, Jr., Authorized Agent of **K. HOVNANIAN HOMES OF DELAWARE, L.L.C.**, a Delaware Limited Liability Company, party to this Indenture to be his act and Deed, and the act and the Deed of the said limited liability company; that the signature of the member is in his own proper handwriting and with his/her authority to act; and that the act of signing, sealing, acknowledging and delivering the said Indenture was first duly authorized by resolution of the limited liability company.

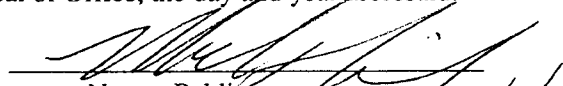
GIVEN under my Hand and Seal of Office, the day and year aforesaid.


Notary Public
MARK RICKER 5/6/09

Manyland
STATE OF ~~DELAWARE~~ :
Kent : SS.
COUNTY OF ~~SUSSEX~~ :

BE IT REMEMBERED, that on this 15th day of January A.D. 2009, came before me, The Subscriber, a Notary Public for the State and County aforesaid, Tavner R. Vantrease, Jr., member of Council, party to this Indenture known to me personally to be such, and he acknowledged this Indenture to be his Deed.

GIVEN under my Hand and Seal of Office, the day and year aforesaid.


Notary Public
MARK RICKER 5/6/09

RECEIVED

FEB 24 2009

**ASSESSMENT DIVISION
OF SUSSEX COUNTY**

Recorder of Deeds
John F. Brady
Feb 24, 2009 01:48P
Sussex County
Doc. Surcharge Paid