

CORRECTION
COVENANTS, RESTRICTIONS AND RESERVATIONS

STORY BOOK MEADOWS, INC.

with

THE TOWN OF SMITHTOWN

WHEREAS, the undersigned corporation, STORY BOOK MEADOWS, INC., is the owner of a plot of land, situated at Nesconset, in the Town of Smithtown, County of Suffolk and State of New York, consisting of three (3) parcels for a total of twenty four (24) acres with frontage on the northerly side of Smithtown Boulevard, 215 feet East of Mary's Lane and more accurately described as Exhibit "A" attached hereto, and

WHEREAS, the said corporation, STORY BOOK MEADOWS, INC., having an office at 100 Nesconset Highway, Nesconset, New York, the fee owner of the said twenty four (24) acres described herein as Exhibit "A", is desirous of declaring and filing certain covenants, restrictions and reservations to run with the premises.

NOW, THEREFORE, the said STORY BOOK MEADOWS, INC., declares and covenants as follows:

(1) The DECLARANT covenants that the total number of units to be constructed on the property described in Exhibit "D" shall not exceed one hundred ninety-two (192) units, and the DECLARANT waives any right to seek any additional bonus density units.

(2) That a western portion of said Exhibit "A", adjacent to residential property and more particularly described as Exhibit "B", consisting of 3.009 acres shall be 150 feet deep and remain zoned R-15 as set forth in the Building and Zoning Ordinance of the Town of Smithtown, and shall remain undisturbed in its natural state as a wooded buffer.

(3) That an eastern portion of said Exhibit "A", adjacent to residential property and more particularly described as Exhibit "C", consisting of 1.760 acres shall be 100 feet deep and remain zoned R-15 as set forth in the Building and Zoning Ordinance of the Town of Smithtown, and shall remain in its natural state as a wooded buffer.

(4) That, for a depth of 60 feet, the northern edge of the property described herein as Exhibit "D" shall remain undisturbed and in its natural state (excluding the recharge basin as may be approved by the Town Engineer).

(5) DECLARANT covenants that the within described buffer zones designated in paragraphs 2, 3 and 4 will not be subdivided and will remain part of a single parcel along with the parcel zoned RC (Retirement Community) as described in Exhibit "D".

(6) The DECLARANT, as owner of the thirty six (36) acres set forth herein as Exhibit "E" by metes and bounds and immediately adjacent to the North side of the RC site (Exhibit "D") covenants that said thirty six (36) acres will be used for construction of single family homes at a density no greater than that achievable under R-15 zoning of the Building and Zoning Ordinance of the Town of Smithtown.

(7) The DECLARANT covenants that the capacity of the proposed sewage treatment plant will not exceed the level necessary to serve the proposed 192 unit retirement community and the proposed single family development to the North, consisting of thirty six (36) acres, zoned R-15.

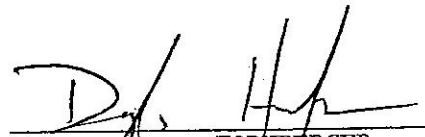
(8) That any basements, cellars or other such below grade spaces, other than that which may be a part of a clubhouse or communal recreation center, as may be constructed upon the 19.231 acre parcel zoned RC (Retirement Community) described in Exhibit "D" shall not be made habitable, but shall be limited to use for storage or laundry purposes, or the placement of mechanical equipment or sewer lines. Below grade spaces as may be constructed as part of a clubhouse or communal recreation center may not contain sleeping quarters or be used for other than recreational or mechanical purposes.

(9) The DECLARANT also covenants that the lifting or modification of any of the covenants herein contained shall require the agreement of the property owner, the Town of Smithtown and all of the owners of the residential properties adjacent to the land designated herein as Exhibits "B" and "C".

(10) The foregoing covenants and restrictions shall be construed as running with the land and binding upon the DECLARANT, any owner or purchaser of the premises or portion of same, their respective heirs, distributees, successors, legal representatives and/or assigns and may be enforced by DECLARANT, its successors and assigns, and by the Town of Smithtown.

(11) This corrects the covenants by STORY BOOK HOMES, INC., recorded in the Office of the Clerk in the County of Suffolk on April 11, 1997 in Liber 11825, page 217.

STORY BOOK MEADOWS, INC.


BY: DOUGLAS HORNBERGER,
(Vice President)

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On the 15th day of FEB., 2000, before me personally came DOUGLAS HORNBERGER, to me known and who being by me duly sworn, did depose and say that he resides at 100 Nesconset Hwy., Nesconset, New York, and that he is the President of STORY BOOK MEADOWS, INC., the corporation described in and which executed the foregoing instrument.

MARGARET HIGGINS
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01H6023718
QUALIFIED IN SUFFOLK COUNTY
MY COMMISSION EXPIRES APRIL 28, 2001


NOTARY PUBLIC

January 31, 2000

EXHIBIT "B"

DESCRIPTION OF 150 FOOT WIDE RESIDENTIAL BUFFER PARCEL

ALL THAT CERTAIN PART, PIECE OR PARCEL OF LAND LYING, BEING AND SITUATE AT NESCONSET, TOWN OF SMITHTOWN, COUNTY OF SUFFOLK AND STATE OF NEW YORK;

BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS;

BEGINNING at the southwest corner of the parcel herein described, said Point of Beginning being distant the following three (3) courses and distances from the corner formed by the intersection of the northerly side of Smithtown Boulevard with the easterly side of Mary's Lane.

- (1) South $76^{\circ}32'46''$ East, a distance of 215.00 feet;
- (2) North $2^{\circ}19'58''$ East, a distance of 271.66 feet;
- (3) North $82^{\circ}23'18''$ West, a distance of 123.07 feet

RUNNING THENCE from said Point of Beginning northerly the following two (2) courses and distances:

- (1) North $0^{\circ}12'06''$ East, a distance of 559.60 feet;
- (2) North $0^{\circ}13'22''$ East, a distance of 304.83 feet;

RUNNING THENCE easterly, South $89^{\circ}29'00''$ East, a distance of 150.00 feet;

RUNNING THENCE southerly the following two (2) courses and distances:

- (1) South $0^{\circ}13'22''$ West, a distance of 304.05 feet;
- (2) South $0^{\circ}12'06''$ West, a distance of 579.07 feet;

RUNNING THENCE westerly, North $82^{\circ}23'18''$ West, a distance of 151.26 feet to the Point or Place of Beginning.

Containing within said bounds 3.009 acres.

January 31, 2000

EXHIBIT "B"

DESCRIPTION OF 150 FOOT WIDE RESIDENTIAL BUFFER PARCEL

ALL THAT CERTAIN PART, PIECE OR PARCEL OF LAND LYING, BEING
AND SITUATE AT NESCONSET, TOWN OF SMITHTOWN, COUNTY OF SUFFOLK
AND STATE OF NEW YORK;

BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS;

BEGINNING at the southwest corner of the parcel herein
described, said Point of Beginning being distant the following
three (3) courses and distances from the corner formed by the
intersection of the northerly side of Smithtown Boulevard with
the easterly side of Mary's Lane.

- (1) South $76^{\circ}32'46''$ East, a distance of 215.00 feet;
- (2) North $2^{\circ}19'58''$ East, a distance of 271.66 feet;
- (3) North $82^{\circ}23'18''$ West, a distance of 123.07 feet

RUNNING THENCE from said Point of Beginning northerly
the following two (2) courses and distances:

- (1) North $0^{\circ}12'06''$ East, a distance of 559.60 feet;
- (2) North $0^{\circ}13'22''$ East, a distance of 304.83 feet;

RUNNING THENCE easterly, South $89^{\circ}29'00''$ East, a
distance of 150.00 feet;

RUNNING THENCE southerly the following two (2) courses
and distances:

- (1) South $0^{\circ}13'22''$ West, a distance of 304.05 feet;
- (2) South $0^{\circ}12'06''$ West, a distance of 579.07 feet;

RUNNING THENCE westerly, North $82^{\circ}23'18''$ West, a
distance of 151.26 feet to the Point or Place of Beginning.

Containing within said bounds 3.009 acres.

EXHIBIT "D"

DESCRIPTION OF 19.231 ACRE REZONING PARCEL

ALL THAT CERTAIN PART, PIECE OR PARCEL OF LAND LYING, BEING AND SITUATE AT NESCONSET, TOWN OF SMITHTOWN, COUNTY OF SUFFOLK AND STATE OF NEW YORK;

BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING at a Point on the northerly side of Smithtown Boulevard distant 215.00 feet easterly from the corner formed by the intersection of the northerly side of Smithtown Boulevard with the easterly side of Mary's Lane.

RUNNING THENCE from said Point of Beginning northerly, North $2^{\circ}19'58''$ East, a distance of 271.66 feet;

RUNNING THENCE easterly, South $82^{\circ}23'18''$ East, a distance of 28.20 feet.

RUNNING THENCE northerly, the following two (2) courses and distances:

- (1) North $0^{\circ}12'06''$ East, a distance of 579.07 feet.
- (2) North $0^{\circ}13'22''$ East, a distance of 304.05 feet.

RUNNING THENCE easterly, South $89^{\circ}29'00''$ East, a distance of 817.79 feet;

RUNNING THENCE generally southerly and westerly the following seven (7) courses and distances:

- (1) South $1^{\circ}14'58''$ West, a distance of 707.01 feet;
- (2) North $88^{\circ}45'02''$ West, a distance of 38.00 feet;
- (3) North $48^{\circ}45'02''$ West, a distance of 100.00 feet;
- (4) North $81^{\circ}44'22''$ West, a distance of 138.69 feet;
- (5) South $2^{\circ}19'58''$ West, a distance of 484.45 feet;
- (6) North $76^{\circ}32'46''$ West, a distance of 60.00 feet;
- (7) South $2^{\circ}19'58''$ West, a distance of 175.00 feet to the northerly side of Smithtown Boulevard.

RUNNING THENCE westerly, along the northerly side of Smithtown Boulevard, North $76^{\circ}32'46''$ West, a distance of 523.30 feet to the Point or Place of Beginning.

Containing within said bounds 19.231 acres.

EXHIBIT "E"

ALL that certain plot, piece or parcel of land, lying and being at Nesconset, town of Smithtown, County of Suffolk and State of New York, being more particularly bounded and described as follows:

BEGINNING at a point on the easterly side of Wood View distant 144.64 feet southerly from the southerly end of a curve connecting the easterly side of Wood View Drive with the southerly side of Stone Edge Lane.

RUNNING THENCE from said POINT OF BEGINNING generally easterly the following five (5) courses and distances:

- (1) North 76 38' 10" East, a distance of 425.54 feet;
- (2) South 12 31' 50" East, a distance of 131.48 feet;
- (3) North 76 38' 10" East, a distance of 100.00 feet;
- (4) South 12 31' 50" East, a distance of 100.00 feet;
- (5) North 76 38' 00" East, a distance of 200.00 feet; to the westerly side of Gibbs Pond Road.

RUNNING THENCE southerly, along the westerly side of Gibbs Pond Road, the following two (2) courses and distances:

- (1) South 12 31' 50" East, a distance of 189.91 feet;
- (2) South 4 06' 00" East, a distance of 95.39 feet;

RUNNING THENCE westerly, South 85 54' 00" West, a distance of 195.00 feet;

RUNNING THENCE southerly, South 4 06' 00" East, a distance of 228.64 feet;

RUNNING THENCE easterly, North 76 12' 00" East, a distance of 197.83 feet to the westerly side of Gibbs Pond Road.

RUNNING THENCE southerly, along the westerly side of Gibbs Pond Road, the following two (2) courses and distances:

- (1) South 4 06' 00" East, a distance of 117.10 feet;
- (2) South 16 23' 53" West, a distance of 292.00 feet;

RUNNING THENCE generally westerly the following four (4) courses and distances:

- (1) South 83 10' 50" West, a distance of 304.32 feet;
- (2) South 6 16' 53" East, a distance of 47.65 feet;
- (3) South 45 52' 20" West, a distance of 122.34 feet;
- (4) North 89 29' 00" West, a distance of 1286.37 feet;

RUNNING THENCE generally northerly and easterly the following nine (9) courses and

distances:

- (1) North 0 13' 22" East, a distance of 354.08 feet;
- (2) South 89 46' 38" East, a distance of 134.37 feet;
- (3) North 0 14' 58" East, a distance of 156.30 feet;
- (4) North 67 29' 58" East, a distance of 89.40 feet;
- (5) North 0 14' 58" East, a distance of 399.65 feet;
- (6) South 89 45' 02" East, a distance of 513.27 feet;
- (7) North 0 30' 06" East, a distance of 116.00 feet;
- (8) North 82 40' 12" East, a distance of 142.94 feet;
- (9) North 76 38' 10" East, a distance of 51.62 feet to the easterly side of Wood View Drive and the POINT OR PLACE OF BEGINNING.