

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
COVERING DEVELOPMENT KNOWN AS THE HARVEST SUBDIVISION,  
IN THE TOWNSHIP OF ONTELAUNEE, BERKS COUNTY,  
PENNSYLVANIA, RECORDED IN BERKS COUNTY RECORDS IN PLAN  
BOOK VOLUME 275, PAGE 83.

The undersigned, Forino Co., L.P., a Pennsylvania limited partnership, the record owner by virtue of deeds recorded in Berks County Records in Record Book Volume 4042, page 0679 and Record Book Volume 4042, page 0685 of the "Harvest" Subdivision, in Ontelaunee Township, Berks County, Pennsylvania, does hereby disclose and acknowledge that the aforesaid subdivision shall be subject to the following covenants, conditions, restrictions and limitations which shall run with the land and each lot in the subdivision, and shall be binding upon the undersigned, its successors and assigns.

1. That the land to be benefited by an subject to the covenants, conditions, restrictions and limitations hereinafter set forth is those lots shown in the residential subdivision known as the "Harvest" situate along the west side of Ida Red Drive (formerly known as Adams Road T-715) in Ontelaunee Township, Berks County, Pennsylvania, said subdivision being shown on Stackhouse Bensinger, Inc.'s Plan No. 2136-001-F, bearing date of October 2, 2003, and last revision date of April 14, 2004, which plan is recorded in the Office of the Recorder of Deeds of Berks County Pennsylvania in Plan Book Volume 275, page 83.

2. That no above-ground swimming pools of any type shall ever be placed, constructed and/or maintained on any lot within the subdivision.

3. That no commercial or other non-passenger vehicle (except for one pick up truck or a small van), motorhome, motorcoach, travel trailer, trailer, mobile home or the like shall be

parked or stored on any lot within the subdivision unless such item is parked or stored within a permanently enclosed structure nor shall any such item be parked overnight on any street, alley, way or the like, within the subdivision.

4. That no unlicensed vehicle nor one that is inoperative for a period in excess of thirty (30) days shall be kept on any lot unless it is garaged. The undersigned, its successors and assigns, and the authorities of Ontelaunee Township shall be authorized to remove at the expense of the lot owner any such vehicle kept or stored in violation of this paragraph.

5. That the above recited covenants, conditions, restrictions and limitations shall be covenants running with the land and each lot.

6. That each separate covenant, condition, restriction and limitation recited above shall be severable and if any of them shall be held to be unconstitutional, illegal or otherwise invalid or unenforceable by a court of competent jurisdiction, such decision shall not affect the validity of any of the other covenants, conditions, restrictions or limitations set forth above, it being the specific intent of the undersigned that these covenants, conditions, restrictions and limitations would have been executed had such unconstitutional, illegal or otherwise invalid covenant, condition, restriction or limitation not been included herein.

7. That the undersigned and/or each owner of any lot located within the aforesaid subdivision shall have the right to enforce the covenants, conditions, restrictions and limitations recited above by appropriate legal proceedings.

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be duly executed as of 13<sup>th</sup> this day of January, 2005.

FORINO CO., L.P.

By: John G. Smith  
Vice-President

STATE OF PENNSYLVANIA:

:SS:

COUNTY OF BERKS :

On this, the 13 day of January, 2005, before me, the undersigned officer, personally appeared John G. Smith, who acknowledged himself to be the Vice-President of Forino Co., L.P., a limited partnership, and that he as such Vice-President, being authorized to do so, executed the within declaration for the purposes therein contained by signing the name of the limited partnership by himself as Vice-President.

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

Kim C. Gromlich

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Kim C. Gromlich, Notary Public  
South Heidelberg Twp., Berks County  
My Commission Expires Aug. 9, 2005