

**Howard County Form of Age Qualified Restrictions
For Inclusion in Condominium Declaration**

[current as of July 1, 2006]

____. Age Restrictions. For purposes of this Paragraph ____, "Age Qualified Resident" shall mean an owner or occupant of a Unit who is fifty-five (55) years of age or older (or such other age as may be required by the Fair Housing Acts, as defined below).

(a) The Property is intended to constitute housing intended and operated for occupancy by at least one person fifty-five (55) years of age or older per Unit, to the extent required by the federal Fair Housing Act, 42 U.S.C. Section 3601, et seq., and Art. 49B Section 19 et seq., of the Annotated Code of Maryland, as such laws are amended from time to time (collectively, the "Fair Housing Acts"). Except as provided herein, occupancy of any Unit shall be in accordance with the Fair Housing Acts.

(b) Subject to the Fair Housing Acts, a resident who is eighteen (18) years of age or older may continue to occupy a Unit, without approval of the Board of Directors of the Condominium ("Condominium Board"), following the death or departure, by reason of incapacity, of a household member fifty-five (55) years or older, provided a surviving household member who is at least fifty (50) years old continues to live in the Unit ("Qualifying Resident").

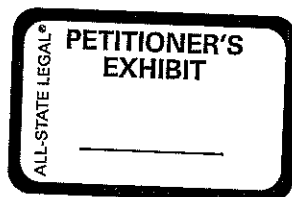
(c) Notwithstanding anything to the contrary contained herein, no Unit may be occupied by any person under the age of eighteen (18) years except as permitted by Howard County's Zoning Regulations unless such occupancy is determined to be a required reasonable accommodation under the applicable Fair Housing Acts.

(d) Nothing contained in this Section ____ shall be deemed to prohibit the visitation by persons not otherwise permitted to occupy a Unit (including persons under the age of eighteen (18)) who are the family members or guests of the owner or occupant of a Unit, provided that such visitation shall not be for more than sixty (60) days in any calendar year.

(e) Once the Condominium Board has granted a request pursuant to this Section, the Condominium Board's permission with respect to the person who was the subject of the request may not be rescinded for so long as such person continually occupies the Unit he or she began occupying upon the granting of the Condominium Board's approval.

(f) Each Owner or occupant of a Unit, if requested to do so by the Condominium Board, shall furnish the Condominium Board with the names and ages of all occupants of the Unit and such affidavits and other documents as the Condominium Board may request to verify the age of such occupants.

(g) The Condominium Board may adopt, publish and enforce such policies and procedures and rules and regulations as are deemed necessary by the Condominium Board



in order to demonstrate an intent to maintain the status of the Condominium as housing for older persons under the Fair Housing Acts. Such policies and procedures may provide for verification of the age of the occupants by reliable surveys and affidavits.

(h) The requirements contained in this Section are intended to comply with the exemption requirements under the Fair Housing Acts and any regulations issued thereunder. Notwithstanding anything contained herein to the contrary, all Owners acknowledge and agree that although it is the intent of the Developer that the Condominium is to be operated in compliance with the Fair Housing Acts, which exempt "housing for older persons" from the prohibitions against discrimination because of familial status, no representation or warranty is made that the Condominium complies or will comply with the Fair Housing Acts, and if for any reason the Condominium is deemed not in compliance with the Fair Housing Acts and, therefore, not exempt from the prohibitions against discrimination because of familial status, neither the Developer nor the Condominium Association nor their respective directors, officers, agents or employees shall have any liability in connection therewith. Notwithstanding any other provision of this Declaration to the contrary, the Developer, so long as the Developer owns any Unit, and thereafter the Condominium Board, may amend the provisions of this Section and/or promulgate rules and regulations to the extent that it deems it necessary or appropriate, without the approval of the owners, in order to comply with the exemption requirements under the Fair Housing Acts and any regulations promulgated thereunder. Such amendments, rules or regulations by the Developer or Condominium Board may include, without limitation, permitting additional exceptions to the age restrictions hereunder which are consistent with the Fair Housing Acts and any regulations promulgated thereunder.

_____. If any of the covenants, restrictions or other provisions of this Declaration shall be unlawfully void, or voidable for violation of the rule against perpetuities, then such provision shall continue only until twenty-one (21) years after the death of the last survivor of the now living descendants of Elizabeth II, Queen of England.

_____. This Declaration **may not be amended by Developer unless written consent is obtained from Howard County, Maryland.**