



County Clerk's Recording Page

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Party 1:
200 DELAWARE RESIDENTIAL
CONDOMINIUM

Party 2:

Recording Fees:

Fee 1	\$40.00
Fee 2	\$1.00
COE STATE \$14.25 GEN	\$14.25
COE STATE \$4.75 RM	\$4.75
MARKOFF FEE	\$0.50

Consideration Amount:

BASIC	\$0.00
SONYMA	\$0.00
ADDL	\$0.00
NFTA MT	\$0.00
TRANSFER	\$0.00
NFTA TT	\$0.00

Total: \$60.50

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE

WARNING – THIS SHEET CONSTITUTES THE CLERK'S ENDORSEMENT REQUIRED BY SECTION 319&316-a (5) OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. DO NOT DETACH. THIS IS NOT A BILL.

Christopher L. Jacobs
COUNTY CLERK

Box 272 L.P.

SECOND AMENDMENT OF DECLARATION

THE BOARD OF MANAGERS OF THE 200 DELAWARE RESIDENTIAL CONDOMINIUM, duly formed and existing under the New York Real Property Law Article 9-B (the Condominium Act) with offices at 100 Corporate Parkway, Suite 500, Town of Amherst, County of Erie, State of New York, hereinafter referred to as the "Declarant," hereby declares:

WHEREAS, a Declaration dated October 30, 2009 establishing a plan of condominium ownership for the 200 Delaware Residential Condominium was recorded in the Erie County Clerk's Office on November 2, 2009, in Liber 11172 of Deeds at Page 3021, as amended by First Amendment of Declaration recorded in the Erie County Clerk's Office on December 28, 2010 in Liber 11194 of Deeds at Page 8428 (collectively, the "Declaration"); and

WHEREAS, the Declaration, *inter alia*, subdivided the fourteenth, fifteenth and sixteenth floors of the Building into separate Units in accordance with Schedule C of the Declaration; and

WHEREAS, the Declarant, upon request of a Unit Owner, and upon the waiver of a special meeting and written consent of 80% in number of Unit Owners and their respective mortgagees (if any), desires to amend the Declaration as provided in and in conformity with Article XI thereof, so as to further alter the composition of Unit 1401, dividing said Unit 1401 and the percentage of common interest in and to the common elements into two (2) Units known as Units 1401 and 1402;

NOW THEREFORE, the Declarant hereby amends the Schedule C of the Declaration as follows:

1. The 14th floor of the Condominium shall be comprised of ten (10) units having the approximate square footage and percentage of common areas set forth in Exhibit A;
2. Declarant represents that the allocation of the Unit 1401 percentage interest in and to the common elements has been altered by this Amendment to be split between new Units 1401 and 1402;
3. Declarant further represents that all terms of the Declaration are unaffected by the redefinition of the respective Units herein.

IN WITNESS WHEREOF, the Declarant has caused this Second Amendment of Declaration to be executed as of this 12th day of March, 2012.

AMD-3-1
68638

THE BOARD OF MANAGERS OF THE
200 DELAWARE RESIDENTIAL CONDOMINIUM

By: Wayne W. Mertz
Wayne Mertz, President

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the 12th day of March in the year 2012, before me, the undersigned, a Notary Public in and for said state, personally appeared Wayne Mertz, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed this instrument.

[Signature]
Notary Public

LOUIS C. FESSARD
Notary Public State of New York
Qualified in Erie County 2013
My Commission expires Aug. 31, 2013

EXHIBIT A
AMENDED SCHEDULE C TO THE DECLARATION
LIST OF UNITS AND PERCENTAGE INTEREST IN THE COMMON AREAS

FLOOR	UNIT DESCRIPTIONS	SBL NUMBERS	SQUARE FOOTAGE			# OF BEDROOMS/ BATHROOMS	AREA
			1ST FLOOR	BALCONY	TOTAL		
Fourteenth	1401	111.37-5-6-/1401	2875	99	2974	2BD/2.5BTH	5.13%
	1402	111.37-5-6-/1402	1446	67	1513	1BD/1.5BTH	2.58%
	1403	111.37-5-6-/1403	2235	67	2302	2BD/2.5BTH	3.99%
	1404	111.37-5-6-/1404	1453	67	1520	2BD/2.5BTH	2.59%
	1405	111.37-5-6-/1405	1891	67	1958	2BD/2.5BTH	3.37%
	1406	111.37-5-6-/1406	1504	67	1571	2BD/2.5BTH	2.68%
Fifteenth	1407	111.37-5-6-/1407	1355	67	1422	1BD/2BTH	2.42%
	1408	111.37-5-6-/1408	1504	67	1571	2BD/2.5BTH	2.68%
	1409	111.37-5-6-/1409	2464	67	2531	2BD/2.5BTH	4.40%
	1410	111.37-5-6-/1410	2176	102	2278	2BD/2.5BTH	3.88%

Sixteenth	1501	111.37-5-6-/1501	3105	99	3204	3BD/3.5BTH	5.54%
	1502	111.37-5-6-/1502	1216	67	1283	1BD/1.5BTH	2.17%
	1503	111.37-5-6-/1503	2235	67	2302	2BD/2.5BTH	3.99%
	1504	111.37-5-6-/1504	1453	67	1520	2BD/2.5BTH	2.59%
	1505	111.37-5-6-/1505	1942	67	2009	2BD/2.5BTH	3.46%
	1506	111.37-5-6-/1506	1504	67	1571	2BD/2.5BTH	2.68%
	1508	111.37-5-6-/1508	1504	67	1571	2BD/2.5BTH	2.68%
	1509	111.37-5-6-/1509	3690	102	3792	2BD/2.5BTH	6.58%
	1510	111.37-5-6-/1510	2290	102	2392	2BD/2.5BTH	4.09%

Seventeenth	1601	111.37-5-6-/1601	2786	167	2953	2BD/2.5BTH	4.97%
	1602	111.37-5-6-/1602	2862	102	2964	3BD/3.5BTH	5.11%
	1604	111.37-5-6-/1604	1676	67	1743	2BD/2.5BTH	2.99%
	1605	111.37-5-6-/1605	1942	67	2009	2BD/2.5BTH	3.46%
	1606	111.37-5-6-/1606	1504	67	1571	2BD/2.5BTH	2.68%
	1607	111.37-5-6-/1607	1,346	35	1381	2BD/2.5BTH	2.41%
	1608	111.37-5-6-/1608	1504	67	1571	2BD/2.5BTH	2.68%
	1609	111.37-5-6-/1609	2318	67	2385	3BD/3BTH	4.14%
	1610	111.37-5-6-/1610	2276	102	2378	2BD/2.5BTH	4.06%