

TENTH AMENDMENT TO DECLARATION OF CONDOMINIUM  
OF SARATOGA OFFICE CENTER, A CONDOMINIUM

THIS AMENDMENT, made this as of the 30<sup>th</sup> day of September, 1997, by the Multiple Sclerosis Association of America, Inc., a non-profit corporation authorized to do business in the Commonwealth of Pennsylvania (the "Successor Declarant").

RECITALS :

The background to this Amendment is as follows:

R-1. Pursuant to a certain Declaration executed by Saratoga Properties, a Pennsylvania general partnership ("Declarant"), and recorded on June 16, 1988 in the Recorder of Deeds Office in Dauphin County, Pennsylvania in Deed Book 1130, Page 20 (the "Declaration"), Declarant submitted to the provisions of the Pennsylvania Uniform Condominium Act, 68 Pa.C.S. § 3101 et seq. (the "Act") certain real estate described in Exhibit A to the Declaration and created a flexible condominium known as Saratoga Office Center, a Condominium (the "Condominium").

R-2. The Declaration has since been amended by the following:

1. First Amendment to Declaration of Condominium dated and recorded August 31, 1988 in Dauphin County Record Book 1167, Page 561;

2. Second Amendment to Declaration of Condominium dated and recorded June 6, 1990 in Dauphin County Record Book 1434, Page 191;

3. Third Amendment to Declaration of Condominium dated and recorded September 28, 1990 in Dauphin County Record Book 1482, Page 206;

4. Fourth Amendment to Declaration of Condominium dated and recorded November 18, 1993 in Dauphin County Record Book 2106, Page 085;

5. Fifth Amendment to Declaration for Saratoga Office Center, a Condominium, dated and recorded June 15, 1995 in Dauphin County Record Book 2425, Page 328.

Return to: Stephen J. Dzuramin, Esq  
Wix, Wenger & Weidner  
508 North Second Street  
P.O. Box 845  
Harrisburg, PA 17108-0845

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6. Sixth Amendment to Declaration for Saratoga Office Center, a Condominium, dated December 14, 1995 and recorded December 14, 1995 in Dauphin County Record Book 2531, Page 303;

7. Seventh Amendment to Declaration for Saratoga Office Center, a Condominium, dated June 11, 1996 and recorded June 14, 1996, in Dauphin County Record Book 2638, Page 41; and

8. Eighth Amendment to Declaration for Saratoga Office Center, a Condominium, dated September 13, 1996 and recorded, September 13, 1996, in Dauphin County Record Book 2698, Page 320; and

9. Ninth Amendment to Declaration for Saratoga Office Center, a Condominium, dated March 13, 1997 and recorded, March 27, 1997, Dauphin County Record Book 2815, Page 081.

The Declaration of Condominium and Declaration Plans referred to in Paragraph R-1 above and the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth and Ninth Amendments to Declaration of Condominium and amendments to the Declaration Plans referred to in this Paragraph R-2 are hereinafter collectively referred to as the "Declaration".

R-3. Pursuant to Article XVI of the Declaration, Declarant, as the original declarant, reserved the right to convert or withdraw from the Condominium all or any portions of the Convertible and Withdrawable Real Estate described on Exhibits A, D and E of the Declaration, without the consent of any unit owner or any holder of any mortgage on any unit.

R-4. The Condominium is divided into three (3) tracts, the first of which has been developed. Tract 2 and Tract 3 are currently undeveloped real estate.

R-5. On March 9, 1990, Declarant transferred Special Declarant Rights in and to Tract 3 of the Condominium to Saratoga Joint Venture, a successor declarant, pursuant to a Partial Assignment of Special Declarant Rights recorded March 16, 1990 in Dauphin County Record Book 1396, Page 336.

R-6. On June 24, 1995, Saratoga Joint Venture transferred its Special Declarant Rights in and to Tract 3 of the Condominium to Successor Declarant pursuant to an Assignment of Special Declarant Rights recorded on July 25, 1995 in Dauphin County Record Book 2446, Page 395 (the "Assignment").

R-7. In accordance with the rights which have been reserved in the Declaration and transferred by the Assignment, Successor Declarant now desires to withdraw from the Condominium that portion of Convertible and Withdrawable Real Estate described as Tract 3 on Exhibits A, D and E of the Declaration, the legal description of which is attached hereto as Exhibit 1 and incorporated herein by reference.

R-8. All capitalized terms used herein which are not defined herein shall have the meanings specified in Article II of the Declaration.

NOW, THEREFORE, pursuant to the provisions of Article XVI of the Declaration and of § 3212 of the Act, Successor Declarant hereby withdraws Tract 3, as such Tract 3 is described on Exhibits A, D and E, including all of the improvements erected thereon, from the provisions of the Act and from the Condominium and declares that the same shall no longer be a part of the Condominium or of the Property. Successor Declarant further declares, pursuant to § 3212 of the Act, that the Declaration is hereby amended as follows:

1. The term "Plats and Plans" as defined in Section 2.2 of the Declaration shall henceforth mean the Plats and Plans attached to the Declaration insofar as they relate to Tract 1 on Exhibit A. The terms Plats and Plans shall exclude Tract 3 as it appears on Exhibits A, D and E of the Declaration.

2. The Percentage Interests appurtenant to each Unit which, after withdrawal of the Convertible and Withdrawn Real Estate remains a part of the Condominium, shall remain the same and is accurately reflected on Exhibit C of the Declaration.

3. Except as specifically amended hereby, the Declaration remains in full force and effect in accordance with its terms.

4. In the event any one or more of the provisions contained in this Amendment shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions of this Amendment, but this Amendment shall be construed as if such invalid, illegal or unenforceable provisions had never been contained herein.

IN WITNESS WHEREOF, the Declarant has executed this Amendment the day and year first above written.

WITNESS/ATTEST:

MULTIPLE SCLEROSIS  
ASSOCIATION OF AMERICA, INC.

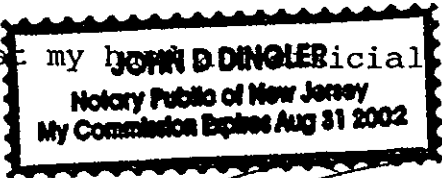
Richard Golden

By: John H. Johnson  
John H. Johnson

STATE OF NEW JERSEY  
~~STATE OF PENNSYLVANIA~~ :  
:  
~~COUNTY OF DAUPHIN~~ :

On the 30<sup>th</sup> day of September, 1997, before me, the undersigned officer, personally appeared John Johnson Sr the President for Multiple Sclerosis Association of America, Inc., a non-profit corporation authorized to do business in the Commonwealth of Pennsylvania, and he as such Attorney-in-Fact executed the foregoing instrument for the purposes therein contained by signing the name of the corporation himself as Attorney-in-Fact.

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



Notary Public  
My Commission Expires:  
(SEAL)

JJD 9-30-97

TRACT 3

All that certain portion of land situated in the Township of Susquehanna, County of Dauphin, State of Pennsylvania, being a part of the premises described in Exhibit A bounded and described as follows:

Beginning at a point, said point being on the eastern property line of the premises described in Exhibit A. Also, said point being South 15 degrees, 18 minutes and 59 seconds East, a distance of 385.00 feet from an iron pin marking the north-eastern property corner of said premises. Thence, along a line South 15 degrees, 18 minutes and 59 seconds East a distance of 726.33 feet to a point, thence, along a line South 60 degrees, 12 minutes and 17 seconds West a distance of 290.00 feet to a point. Thence, along a line South 41 degrees, 16 minutes and 48 seconds West a distance of 264.92 feet to a point, thence, along a line North 16 degrees, 57 minutes and 30 seconds West a distance of 79.64 feet to a point, thence, along a line North 25 degrees, 42 minutes and 15 seconds West a distance of 112.91 feet to a point, thence, along a line North 39 degrees, 03 minutes and 00 seconds East a distance of 32.48 feet to a point, thence, along a line South 42 degrees, 56 minutes and 35 seconds East a distance of 143.10 feet to a point, thence, along a line North 23 degrees, 43 minutes and 15 seconds East a distance of 138.16 feet to a point, thence, along a line North 52 degrees, 39 minutes and 47 seconds West a distance of 11.00 feet to a point. Thence, along a line North 20 degrees, 38 minutes and 35 seconds East a distance of 286.67 feet to a point, thence, along a line North 82 degrees, 50 minutes and 38 seconds West a distance of 85.42 feet to a point, thence, along a line North 00 degrees, 04 minutes and 08 seconds West a distance of 120.94 feet to a point, thence, along a line North 15 degrees, 10 minutes and 29 seconds West a distance of 120.94 feet to a point, thence, along a line North 29 degrees, 58 minutes and 49 seconds West a distance of 120.94 feet to a point, thence, along a line North 43 degrees, 25 minutes and 00 seconds West a distance of 143.41 feet to a point, thence, along a line North 74 degrees, 41 minutes and 01 seconds East a distance of 328.15 feet to a point, said point being the point and place of beginning.

Containing 217,152.67 square feet (4.9851 ac.) more or less.

EXHIBIT 1