

Allegheny County
Jessica Garofolo
Division of Real Estate
Pittsburgh, PA 15219

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GATEWAY TOWERS EXECUTIVE OFFICE CONDO
GATEWAY TOWERS EXECUTIVE OFFICE CONDO
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Jessica Garofolo

Jessica Garofolo, Director
Sara Innamorato, County Executive

615657

DRE Certified

28-Feb-2025 12:16PM\nt By: T G

**FOURTH AMENDMENT
TO DECLARATION OF CONDOMINIUM FOR
GATEWAY TOWERS EXECUTIVE OFFICE CONDOMINIUM**

THIS FOURTH AMENDMENT TO DECLARATION (the “Fourth Amendment”) is made on this 26th day of February, 2025, by and for **Gateway Towers Executive Office Condominium**, a Pennsylvania nonprofit corporation (the “Association”).

WITNESSETH:

WHEREAS, pursuant to that certain Declaration of Condominium for Gateway Towers Executive Office Condominium made on December 15, 1982 and recorded on December 23, 1982 in the Office of the Recorder of Deeds in and for Allegheny County, Pennsylvania in Deed Book Volume 6584, Page 552 (the “Declaration”), and pursuant to the provisions of the Pennsylvania Uniform Condominium Act, 68 Pa.C.S. § 3101 *et seq.* (the “Act”), involving certain real estate described in Exhibit “A” to the Declaration;

WHEREAS, the Declaration was amended by a First Amendment to Declaration dated May 20, 1983 and recorded on May 25, 1983 in the aforesaid Office in Deed Book Volume 6662, Page 1 (the “First Amendment”);

WHEREAS, the Declaration was amended by a Second Amendment to Declaration dated May 26, 1983 and recorded on the same date in the aforesaid Office in Deed Book Volume 6663, Page 400 (the “Second Amendment”);

WHEREAS, the Declaration was amended by a Third Amendment to Declaration dated October 25, 2013 and recorded on October 30, 2013 in the aforesaid Office in Deed Book Volume 15419, Page 154 (the “Third Amendment”); and

WHEREAS, all capitalized terms used herein, which are not defined herein, shall have the meanings specified in Section 2.2 of the Declaration.

NOW, THEREFORE, pursuant to the provisions of the Condominium Documents and of the Act, and intending to be legally bound, the Association hereby declares that the Declaration, as amended by the prior amendments mentioned above, is hereby further amended as follows:

1. Substitution of Association's Changed Legal Name. By Articles of Amendment filed on July 30, 2022, with the Pennsylvania Department of State, a true and correct copy of which is attached hereto as **Exhibit A**, the Association's legal name was changed to **Gateway Towers Executive Office Condominium** from GATEWAY TOWERS EXECUTIVE OFFICE CONDOMINIUM OWNERS ASSOCIATION. The Association's changed legal name is hereby substituted throughout the Condominium Documents.
2. Deletion of Section 14.12. Plaza. Section 14.12 (Plaza) of the Declaration, together with all references thereto within the Condominium Documents, are hereby deleted in their entirety. A true and correct copy of Section 14.12 is attached hereto as **Exhibit B**.
3. Authority and Retroactivity of Corrective Amendment. The deletion of Section 14.12 by Paragraph 2 above is made pursuant to Section 12.3 of the Declaration, whereby the Executive Board has determined that it is necessary to cure and correct certain ambiguities, defects, inconsistencies, and/or incorrect statements created by Section 14.12 regarding the Association's rights, titles, and interests in and to the Plaza (Block and Lot No. **1-C-1663**), including, but not limited to, real estate tax liabilities and apportionments thereof.

Inasmuch as the foregoing ambiguities, defects, inconsistencies, and/or incorrect statements were created, *ab initio*, by original provisions of the Declaration: it is the Executive Board's express and declared intent that the curative and corrective effects of Paragraph 2 above are made retroactively to the Effective Date of the Declaration.

4. Ratification. Except as specifically amended by this Fourth Amendment, the Declaration is hereby ratified and remains in full force and effect in accordance with its terms.

Exhibit A

PENNSYLVANIA DEPARTMENT OF STATE
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS

Entity# : 720318
Date Filed : 07/30/2022
Pennsylvania Department of State

Articles of Amendment-Domestic Corporation

 Business Corporation (§ 1915)
 X Nonprofit Corporation (§ 5915)

Name <u>Jason C Knapp</u>		
Address <u>P.O. Box 22070,</u>		
City <u>Pittsburgh</u>	State <u>PA</u>	Zip Code <u>15222-0070</u>

Document will be returned to the name and address you enter to the left.

Fee: \$70.00

In compliance with the requirements of the applicable provisions (relating to articles of amendment), the undersigned, desiring to amend its articles, hereby states that:

1. The name of the corporation is:

GATEWAY TOWERS EXECUTIVE OFFICE CONDOMINIUM OWNERS ASSOCIATION

2. The (a) address of this corporation's current registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is (the Department is hereby authorized to correct the following information to conform to the records of the Department):

(a) Number and Street	City	State	Zip	County
<u>290 Perry Hwy,</u>	<u>PITTSBURGH</u>	<u>PA</u>	<u>15229</u>	<u>Allegheny</u>

(b) Name of Commercial Registered Office Provider	County
<u>c/o:</u>	

3. The statute by or under which it was incorporated:

Nonprofit Corporation Law of 1933

4. The date of its incorporation: 12/1/1982

5. Check, and if appropriate, complete one of the following:

 X The amendment shall be effective upon filing these Articles of Amendment in the Department of State.

 The amendment shall be effective on: _____ at _____
Date Date Hour

DSCB: 15-1915/5915-2

6. Check one of the following:

The amendment was adopted by the shareholders or members pursuant to 15 Pa.C.S. § 1914(a) and (b) or § 5914(a).

The amendment was adopted by the board of directors pursuant to 15 Pa. C.S. § 1914(c) or § 5914(b).

7. Check, and if appropriate, complete one of the following:

The amendment adopted by the corporation, set forth in full, is as follows

The exact name of the corporation is: Gateway Towers Executive Office Condominium

The amendment adopted by the corporation is set forth in full in Exhibit A attached hereto and made a part hereof.

8. Check if the amendment restates the Articles:

The restated Articles of Incorporation supersede the original articles and all amendments thereto.

IN TESTIMONY WHEREOF, the undersigned corporation has caused these Articles of Amendment to be signed by a duly authorized officer thereof this 30 day of July, 2022.

GATEWAY TOWERS EXECUTIVE OFFICE
CONDOMINIUM OWNERS ASSOCIATION
Name of Corporation

Jason C. Knapp
Signature

President
Title

Exhibit B

Section 14.11. Utility Charges. All utilities currently provided to the Premises (excluding telephone and cable television service, if any), will either be separately metered or billed directly to Unit Owners as part of the Common Expenses. Separately metered utilities shall be paid directly by the Unit Owner consuming the utility service. In the event a Unit Owner uses a disproportionate amount of any utility not separately metered, the Executive Board shall have the right, but shall have no obligation, to engage a registered Professional Engineer to compute that Unit Owner's utility usage and to determine an equitable utility charge and to bill the Unit Owner based upon such usage.

Section 14.12. Plaza. Each Unit Owner shall be responsible for his proportionate share of all real property taxes and assessments assessed against the Plaza, as defined in Section 1.2 above, and accruing from the date of filing of this Declaration. If the undivided percentage interests in the Plaza are not assessed in the Unit Owner's separate real estate tax bills, or if the Plaza is not taxed separately from the other ownership interests in Lot No. 3 of which the Plaza is a part, the Association shall be responsible for payment of real estate taxes attributable to the land portion (as distinguished from real estate taxes attributable to the underground garage improvements) of said Lot No. 3; and such real estate taxes shall be a Common Expense; provided, however, that if the Association fails to pay such real estate taxes, the entity or entities owning the remaining interests in Lot No. 3 shall be entitled to pay such real estate taxes and proceed against the Association or the Unit Owners directly, or both, for reimbursement of the real estate taxes assessed against the land portion of Lot No. 3. The Unit Owners shall not have the right individually, but the Association acting on behalf of all Unit Owners collectively shall have the right, to exercise the rights contained in the Tax Agreement between The Equitable Life Assurance Society of the United States and Three Rivers Capital, Inc., dated June 19, 1982, and recorded in Deed Book Volume 6122, page 848, Allegheny County, Pennsylvania, Records.