

AMENDMENT
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF
THE VILLAGE AT TINKER CREEK

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS of THE VILLAGE AT TINKER CREEK, made and entered into this 22nd day of November, 2002, by CBI DEVELOPERS, L.L.C., Declarant.

WITNESSETH:

WHEREAS, the Declaration of Covenants, Conditions and Restrictions of THE VILLAGE AT TINKER CREEK was recorded in the Clerk's Office of the Circuit Court of Roanoke County, Virginia, on September 9, 2002, as Instrument No. 200217807; and

WHEREAS, the Declarant has heretofore amended said Declaration to add additional land; and

WHEREAS, the Declarant desires to add further additional land to be governed by the Declaration pursuant to Article I, Section 3 of the Declaration.

NOW, THEREFORE, the Declarant, CBI DEVELOPERS, L.L.C., hereby amends said Declaration of Covenants, Conditions and Restrictions as follows:

1. That the parcels of land identified as Section 1, Lots 23-25, 34, 36, and the resubdivision of Lot 26 as shown on the "Subdivision Plat of The Village at Tinker Creek, Section 1, Lots 23-25, 34, 36, and the resubdivision of Lot 26, Situate on Plantation Road, Being the Property of CBI Developers, LLC" prepared by Mattern & Craig, Inc., dated November 12, 2002, and recorded in the aforesaid Clerk's Office in Plat Book 26, Page 21 be, and the same are, hereby incorporated into The Village at

OSTERHOUDT, PRILLAMAN,
NATT, HELSCHER, YOST,
MAXWELL & FERGUSON, PLC
ATTORNEYS-AT-LAW
ROANOKE, VIRGINIA
24018-0049

Tinker Creek and the Lots set out on said plat are hereby deemed to be governed by the Declaration of Covenants, Conditions and Restrictions for The Village at Tinker Creek as previously recorded.

2. That provisions of the Declaration of Covenants, Conditions and Restrictions shall remain in full force and effect and shall control the development, use and occupancy of the aforesaid Lots.

WITNESS the following signatures and seals as of the day and year first hereinabove written.

CBI DEVELOPERS, L.L.C.

BY  (SEAL)
ITS member

STATE OF VIRGINIA,
CITY/COUNTY OF Roanoke, to-wit:

The foregoing instrument was acknowledged before me this 22nd day of November, 2002, on behalf of **CBI Developers, L.L.C.** by Gerald W. Godsey, its Member.

My commission expires: 8-31-03


Notary Public

OSTERHOUDT, PRILLAMAN,
NATT, HELSCHER, YOST,
MAXWELL & FERGUSON, PLLC
ATTORNEYS-AT-LAW
ROANOKE, VIRGINIA
24018-0049

INSTRUMENT #200223795
RECORDED IN THE CLERK'S OFFICE OF
ROANOKE COUNTY ON
NOVEMBER 22, 2002 AT 01:41PM
STEVEN A. MCGRAW, CLERK

E. CAB (DC)