

Bull. 20070305

Tax Map Numbers: 027.20-03-87.00, 027.20-03-88.00, 027.20-03-89.00,
027.20-03-97.00, 027.20-03-98.00 & 027.20-03-98.00

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 in this 28 day of February, 2007, by STAR CITY DEVELOPERS, INC., Declarant

- WITNESSETH -

WHEREAS, CBI DEVELOPERS, LLC, was the owner and developer of certain property in the County of Roanoke, Virginia, known as "THE VILLAGE AT TINKER CREEK", which includes the hereinafter described property, and was the Declarant under the Declaration of Covenants, Conditions and Restrictions for THE VILLAGE AT TINKER CREEK recorded in the Clerk's Office of the Circuit Court of Roanoke County, Virginia, on September 9, 2002, as Instrument No. 200217807, as amended; and

WHEREAS, STAR CITY DEVELOPERS, INC. has become the owner and developer of the remaining property in THE VILLAGE AT TINKER CREEK by Deeds from CBI DEVELOPERS, LLC, and Floradale Corporation recorded in the aforesaid Clerk's Office; and

WHEREAS, STAR CITY DEVELOPERS, INC. is the successor in interest to CBI DEVELOPERS, LLC, as Declarant and was assigned all rights of CBI DEVELOPERS, as Declarant under the Declaration to STAR CITY DEVELOPERS, INC. by assignment of record in the aforesaid Clerk's Office in Instrument No. 200605456; 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.

THE BULLINGTON FIRM
4502 Starkey Rd, Suite 200
Roanoke, Virginia 24014

BR-8079

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NOW, THEREFORE, the Declarant, STAR CITY DEVELOPERS, INC., hereby amends said Declaration of Covenants, Conditions and Restrictions as follows:

1. That the parcels of land identified as New Lots 87 – 89, and New Lots 97-99, as shown on the "Subdivision Plat of The Village at Tinker Creek, Section 1, New Lots 87-89 and New Lots 97-99, Situate on Plantation Road, Being the Property of Star City Developers, Inc." prepared by Mattern & Craig, Inc., dated February 13, 2007, and recorded in the aforesaid Clerk's Office in Plat Book 30, Page 223, Instrument Number 2007-02884 be, and the same are, hereby incorporated into The Village at 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.

STAR CITY DEVELOPERS, INC.

By: [Signature] (SEAL)

Its: PRESIDENT

STATE OF VIRGINIA
COUNTY OF ROANOKE

The foregoing instrument was acknowledged before me this 28 day of February, 2007, by Crads McGhee, President, on behalf of Star City Developers, Inc.

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My Commission Expires: 2-28-10

Steven A. McGraw
Notary Public

INSTRUMENT #200703054
RECORDED IN THE CLERK'S OFFICE OF
ROANOKE COUNTY ON
MARCH 1, 2007 AT 01:14PM
STEVEN A. MCGRAW, CLERK
RECORDED BY: JLC