

**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 4<sup>th</sup> day of June, 2004, 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 51-56, 58-61, 71-73, and 101-106 as shown on the "Subdivision Plat of The Village at Tinker Creek, Section 1, Lots 51-56, 58-61, 71-73, and 101-106, Situate on Plantation Road, Being the Property of CBI Developers, LLC" prepared by Mattern & Craig, Inc., dated May 21, 2004, and recorded in the aforesaid Clerk's Office in Plat Book 27, Page 160 be, and the same are, hereby incorporated into The Village at Tinker Creek and the

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

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 *W. Godsey, manager-member* (SEAL)  
ITS MEMBER

STATE OF VIRGINIA,  
COUNTY OF ROANOKE, to-wit:

The foregoing instrument was acknowledged before me this 4<sup>th</sup>  
day of June, 2004, on behalf of **CBI Developers, L.L.C.** by Gerald  
W. Godsey, its Member.

My commission expires: 8-31-07

*Edward A. Nitt*  
Notary Public

OSTERHOUDT, PRILLAMAN,  
NATT, HELSCHER, YOST,  
MAXWELL & FERGUSON, PLC  
ATTORNEYS AT LAW  
ROANOKE, VIRGINIA  
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INSTRUMENT #200410271  
RECORDED IN THE CLERK'S OFFICE OF  
ROANOKE COUNTY ON  
JUNE 7, 2004 AT 09:37AM  
STEVEN A. MCGRAW, CLERK

BY:  (DC)