VIRGINIA LAND RECORD COVER SHEET FORM A – COVER SHEET CONTENT

Instrument Date: Instrument Type:	12/13/2024 AMEND		TMCT	אוזסי	ENT 202409	QQ1
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Consideration:	\$0.00					
Existing Debt:	\$0.00					
Actual Value/Assumed:	\$0.00					
PRIOR INSTRUMENT Original Principal:	UNDER § 58.1-803(D) \$0.00		(Area Above	Res	erved For Deed	Stamp Only)
Fair Market Value Ir	ncrease: \$0.00					
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GRANTEE ADDRESS: Name: Village at Tir	nker Creek Homeowners A	ssociation,	Inc,			
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FORM CC-1570 Rev:7/15

Page 1 of 47

Cover Sheet A

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VIRGINIA LAND RECORD COVER SHEET

FORM C - ADDITIONAL PARCELS

AMENDMENT TO THE BYLAWS

OF

THE VILLAGE AT TINKER CREEK HOMEOWNERS ASSOCIATION, INC. 2024

The Bylaws of the Village at Tinker Creek Homeowners Association, Inc., are amended as follows:

Article 2, The Association

Subsection 2.5, Notice of Meetings. *The following is added to this provision:*

Notification may be made electronically, cigitally or by regular mail.

The following provisions are added to Article 2:

- 2.13 <u>Annual Budget</u>. The budget for the upcoming fiscal year shall be on the agenda and presented at the annual meeting.
- 2.14 <u>Assessment Increase</u>. In the event the annual meeting is conducted in November the meeting minutes may serve as the thirty (30) day notification of any change in annual assessments.

Article 3, Board of Directors

3.1 <u>Number and Qualification</u>. This section is replaced by the following:

The affairs of the Association shall be governed by a Board of Directors composed of five (5) members of the Association. The Directors shall be elected by the members of the Association.

3.2.2 The final sentence is amended as follows:

Unless otherwise determined by the Board of Directors, the annual assessment against each Member for his proportionate share of the Common Expenses shall be payable in equal monthly installments, each such installment to be due and payable in advance on the first day of each month, to be paid no later than the tenth (10th) day of each month.

3.2.12 *This subsection is replaced by the following:*

Notify all Mortgagees of all or any Lots in the Property (the "Mortgagees") of any Members who are in default in the payment of their assessments and for whom foreclosure of any liens has been initiated.

3.4 Regular Meeting. This subsection is replaced by the following:

Regular meetings of the Board of Directors shall be held at such times and places as shall be determined from time to time by a majority of the members of the Board, but such meetings shall be held at least quarterly during each fiscal year. Notice of these regular meetings shall be given to the members of the Board by mail or electronic communication no less than five (5) days prior to the day set for such meetings. The quarterly meetings of the Board are in addition to the Annual Meeting of the Membership.

3.13 <u>Common or Interested Members</u>. *This subsection is replaced by the following:*

Each Director and Officer of the Associations shall exercise his or her powers and duties in good faith and with a view to protecting the best interests of the Association. In the event of a conflict of interest, the Director or Officer shall disclose it and recuse himself or herself from the discussion and any subsequent vote relating to the subject of the conflict.

3.15 <u>Managing Agent</u>. This section is replaced by the following:

The Board of Directors shall employ for the Property a "Professional Managing Agent" at a compensation to be established by the Board.

- 3.15.1 Requirements. The first sentence of this subsection is deleted.
- 3.15.2 <u>Duties</u>. The first sentence of this subsection is replaced by the following:

The Managing Agent shall perform such duties and services as the Board of Directors shall authorize in compliance with the management contract.

Article 4, Officers

4.2 <u>President</u>. This section is replaced by the following:

The President shall be the chief executive officer of the Association. He or she shall have all the powers and duties which are usually vested in the office of the president of any association, including, but not limited to, the power to appoint committees from among members of the Association from time to time, as the majority of the members of the Board may determine appropriate to assist in the conduct of the affairs of the Association.

4.3 <u>Vice-President</u>. *This section is replaced by the following:*

The Vice-President shall, in the absence or disability of the President, exercise the powers and perform the duties of the President. He or she shall also generally assist the President and exercise such other powers and perform such other duties as shall be prescribed by the Directors.

4.4 Secretary. This section is replaced by the following:

The Secretary shall be the minutes keeper of all proceedings of the Directors and the members. He or she shall attend to the giving and serving of all notices to the members and Directors, and such other notices required by law. He or she shall have custody of the seal of the Association and affix the same to instruments requiring a seal when duly signed. He or she shall keep the records of the Association, except those of the Treasurer, and shall perform all other duties incident to the office of secretary of an association and as may be required by the Directors or the President.

4.5 <u>Treasurer</u>. *This section is replaced by the following:*

The Treasurer shall have custody of all of the property of the Association, including funds, securities and evidenced of indebtedness. He or she shall keep, or supervise the keeping of, the assessment rolls and accounts of the members; he or she shall keep the books of the Association in accordance with good accounting practices; and he or she shall perform all other duties incident to the Association.

Article 5, Operation of the Association

5.5.3 Manner of Repair and Replacement. The following is added to this subsection:

All homeowners seeking to make changes to landscape or other portions of their Lots are required to comply with the procedures required by the Board of Directors.

5.7 <u>Additions, Alterations or Improvements By Members or the Association.</u>

The following is added to this subsection:

Requests for landscape, engineering, architectural, or decorative changes must comply with the procedures required by the Board of Directors.

Article 6, Insurance

6.5.2 *This section is replaced by the following:*

Copies of all policies and any renewals may be filed with the Board of Directors of this Association.

Article 10, Amendment to Declaration and Bylaws

10.2.2 *The first sentence is replaced by:*

An Amendment or Amendments may be proposed by the Board of Directors of the Association acting upon a vote of a simple majority of the Members, whether meeting as members or by instrument in writing signed by them.

Approved and executed this 340 day of November, 2024.

Norman D. Mason, Sole Member Tinker Creek Developers, LLC

President, The Village of Tinker Creek Homeowners Association, Inc.

COMMONWEALTH OF VIRGINIA

To-wit:

I hereby certify that Norman D. Mason appeared before me this 3rd day of November, 2024, identified himself as the President of The Village at Tinker Creek Homeowners Association, Inc., and signed the foregoing instrument

Notary Public

My Commission expires:

Virginia Darlene Chapman Shelton Notary Public - Reg. # 166220 Commonwealth of Virginia My Commission Expires May 31, 2026 Prepared by and to be returned to: Stephen H. Moriarty 3201 Jermantown Road Suite 600 Fairfax, Virginia 22030

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