

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 27th day of October, 2003, 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 112A-120 as shown on the "Subdivision Plat of The Village at Tinker Creek, Section 1, Lots 114-120 & the Resubdivision of Lots 112 & 113, Situate on Plantation Road, Being the Property of CBI Developers, LLC" prepared by Mattern & Craig, Inc., dated October 17, 2003, and recorded in the aforesaid Clerk's Office in Plat Book 27, Page 36 be, and the same are, hereby incorporated into The Village at Tinker Creek and the Lots

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

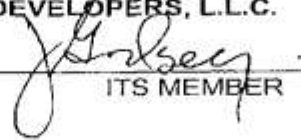
set out on said plat are hereby deemed to be governed by the Declaration of Covenants, Conditions and Restrictions for The Village at Tinker Creek as previously recorded.

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


ITS MEMBER

(SEAL)

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

The foregoing instrument was acknowledged before me this 27th
day of October, 2003, on behalf of **CBI Developers, L.L.C.** by Gerald
W. Godsey, its Member.

My commission expires: August 31, 2007


Notary Public

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

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INSTRUMENT #200327044
RECORDED IN THE CLERK'S OFFICE OF
ROANOKE COUNTY ON
OCTOBER 29, 2003 AT 11:23AM
STEVEN A. MCGRAW, CLERK

BY:  (DC)