VIRGINIA LAND RECORD COVER SHEET FORM A – COVER SHEET CONTENT

Instrument Date:	06/08/2023	RECORDED IN THE CLERK'S OFFICE OF
Instrument Type:	AMEND	ROANOKE COUNTY CIRCUIT COURT ON
Number of Parcels:	Number of Pages:	
[] City [X] County		RHONDA D. PERDUE, CLERK
: - 182-5 18-6	ROANOKE	RECORDED BY: KSB
TAX EXEMPT?	VIRGINA/FEDERAL L	AW
[] Grantor:		
[] Grantee:		
Consideration:	\$0.00	
Existing Debt:	\$0.00	
Actual Value/Assumed	1: \$0.00	તાલાસ્વાસ્તાસ્તાસ્તાસ્તાસ્તાસ્તાસ્તાસ્તાસ્તા
PRIOR INSTRUMENT	" UNDER § 58.1-803(D)	(Area Above Reserved For Deed Stamp Only)
Original Principal:	\$0.00	(Med Moore Reserved For Deed Stamp Only)
Fair Market Value		
Original Book Nur	nber: Original Pa	ge Number: Original Instrument Number:
Prior Recording At: [
	ROANOKE	Percentage In This Jurisdiction: 100%
BUSINESS / NAME 1 [X] Grantor: [] Grantor: 1 [X] grantee: [] grantee:	VILLAGE AT TINKER CF	REEK HOMEOWNERS ASSOCIATION, INC.
GRANTEE ADDRESS Name: Village at T	S: Tinker Creek Homeowners	ooooooonuumuseeneeneeneeneeneeneeneeneeneeneeneeneen
Citan		States 7 in Code:
Book Number:	Page Number:	Instrument Number:
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	Stephen H. Moriarty	1000000000000000000000000000000000000
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FORM CC-1570 Rev:7/15

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Cover Sheet A

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AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE VILLAGE AT TINKER CREEK HOMEOWNERS ASSOCIATION, INC.

2022

The Declaration of Covenants, Conditions and Restrictions of The Village at Tinker Creek Homeowners Association, Inc., recorded in the land records of the Circuit Court of the County of Roanoke, Virginia, originally recorded on September 9, 2002, as Instrument No. 200217807, and amended successively afterward, is hereby amended in the following manner.

Article VI, <u>General Provisions</u>, Section 1, <u>Enforcement</u>, is hereby repealed and replaced by:

The Declarant, Developer, Association through its Board of Directors, or any Member of the Association shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants and reservations now or hereafter imposed by the provisions of the Declaration, as amended. Failure by any party to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter. In the event that any legal action or proceeding is commenced to enforce any restriction, condition, covenant, reservation or term of this Declaration, the prevailing party shall be entitled to an award of its court costs, legal fees incurred, and any other expense of litigation.

In addition, the Association is authorized to impose penalties in accordance with the Virginia Property Owners' Association Act and in the amounts set forth in that statute, as it may be amended.

Article VI, Section 4, Violations and Nuisances, is hereby repealed and replaced by:

Every act or omission whereby any provision of this Declaration which is violated in whole or in part is hereby declared to be a nuisance and may be enjoined or abated, regardless of whether the relief sought is for negative or affirmative action, by a Declarant, Developer, the Association, Board of Directors, or any Owner of a Lot.

Approved and executed this _____ day of September, 2022.

CERTIFICATION

I HEREBY CERTIFY that the requisite number of members approved and ratified the foregoing Amendment. Pursuant to Article VI, Section 3 of the Declaration, the Declarant is empowered to amend the Declaration unilaterally so long as it owns any Lot within the community. Tinker Creek Developers, LLC, the Declarant, remains the owner of multiple lots within the Association.

Norman D. Mason Tinker Creek Developers, LLC President, Village at Tinker Creek Homeowners Association, Inc.

COMMONWEALTH OF VIRGINIA

To-wit:

I hereby certify that <u>Norman D Wason</u> appeared before me this <u>212</u> day of September, 2022, identified himself as the President of The Village at Tinker Creek Homeowners Association, Inc., and signed the foregoing Amendment.

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

ORIGINAL

 $\begin{array}{l} \text{Tax Map Nos.: } 027.20-01-28.00-000; 027.20-01-39.02-0000; 027.20-01-39.06-0000; 027.20-01-39.15-0000 \text{ through } 027.20-01-39.19-0000; 027.20-03-22.00-0000 \text{ through } 027.20-03-37.00-0000; 027.20-03-51.00-0000 \text{ through } 027.20-03-56.00-0000; 027.20-03-65.00-0000 \text{ through } 027.20-03-89.01-0000; 027.20-03-98.00-0000; 027.20-03-99.00-0000; 027.20-04-01.00-0000 \text{ through } 027.20-04-20.00-0000; 027.20-05-01.00-0000 \text{ through } 027.20-05-32.00-0000; 027.20-07-02.00-0000 \text{ through } 027.20-07-10.00-0000; 027.20-08-02.00-0000 \text{ through } 027.20-08-08.00-0000; 027.20-09-01.00-0000 \text{ through } 027.20-09-04.00-0000; 027.20-10-01.00-0000 \text{ through } 027.20-10-20.00-0000. \end{array}$