

Tax Map Nos. See Exhibit "B"

**AMENDMENT TO
DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS
LANDFALL AT JAMESTOWN**

This Amendment to Declaration of Covenants, Easements and Restrictions is made as of the 10th day of October, 2018, by LANDFALL AT JAMESTOWN COMMUNITY ASSOCIATION (the "Association"), to be indexed as Grantor.

WHEREAS, McCale Development-Landfall, L.L.C., a Virginia Limited Liability Company, as Declarant, submitted the real property set forth herein as Exhibit A to that certain Declaration of Covenants, Easements and Restrictions dated January 29th, 1998 and recorded as Instrument No. ~~98002236~~ ²⁰⁰²²³⁶, (the "Declaration") in the Clerk's Office of the Circuit Court for James City County, (the "Clerk's Office"); and

WHEREAS, the Declaration has been amended and supplemented from time to time to add additional property; and

WHEREAS, Article XII, Section 12.2 of the Declaration provides that the Declaration may be amended by a vote of sixty-seven percent (67%) of the Class A votes; and

WHEREAS, Article III, Section 3.2 of the Declaration defines a Class A member as all Owners of Lots; and

WHEREAS, Declarant control of the Association has ended and Declarant consent is not required to amend the Declaration; and

WHEREAS, pursuant to this right to amend the Declaration, the Association finds it to be in the best interest of the Association to amend the Declaration to prohibit short-term rentals; and

WHEREAS, to effectuate that intention, the Association presented this amendment to amend Article VII, "Use of Property" by adding a section 7.16, titled "Leasing," to the Class A members at a duly called meeting of the members; and

WHEREAS, the Amendment was approved by the affirmative vote of sixty-eight percent (68%) of Class A votes cast by members present at the meeting at which a quorum was present in person or by proxy.

NOW, THEREFORE, pursuant to and in compliance with Article XII, Section 12.2 of the Declaration, the Association hereby amends Article VII, "Use of Property" by adding a section 7.16 which is contained below:

Prepared by and return to:
Susan B. Tarley, Esquire
VSB 28896
4808 Courthouse Street, Suite 102
Williamsburg, VA 23188

7.16 **Leasing.**

Short term lodging, vacation, transient or hotel-type leasing or any form of temporary occupancy where the occupant or tenant occupies or uses the Dwelling Unit or Lot for a period of less than one (1) year is prohibited. The duration of the initial rental/lease agreement shall be for not less than one (1) year.

The only exceptions are (i) where a tenant who initially had a one (1) year lease renews for a lesser period of time but in no event less than a month-to-month period; or (ii) occupancy by a seller or buyer pursuant to a contract of purchase (i.e. post-closing or pre-closing occupancy); or (iii) temporary occupancy by a person who is entrusted by the Owner to live temporarily at the Owner's Dwelling Unit to provide house or pet sitting services while the Owner is temporarily away from the Dwelling Unit, provided that the Owner provides the Association with confirmation of the lease renewal, or a copy of the contract of purchase and post-closing or pre-closing occupancy agreement or confirmation of pet or house sitting, and any remuneration or consideration, if any, to be paid by the house/pet sitter to the Owner for or during such period of house/pet sitting, if requested by the Association. Owners shall not use a post-closing or pre-closing occupancy agreement or any house or pet sitting arrangement to circumvent the leasing restriction set forth above.

Except as expressly modified herein, all of the terms and provisions of the Declaration remain unchanged and are hereby expressly ratified and confirmed and shall remain in full force and effect.

In witness whereof, the Association has caused this Amendment to be executed by the President who certifies that at least sixty-seven percent (67%) or more of the Class A members voted in favor of this Amendment at the duly called meeting of the members on the ___ day of October, 2018, as evidenced by the proxy/signature pages and ballots/signature pages attached hereto and made a part hereof.


LANDFALL AT JAMESTOWN COMMUNITY
ASSOCIATION

By: 

Scott Gray, President

COMMONWEALTH OF VIRGINIA
COUNTY OF JAMES CITY, to-wit:

I, the undersigned, a Notary Public in and for the jurisdiction aforesaid, do hereby certify that Scott Gray, President of LANDFALL AT JAMESTOWN COMMUNITY ASSOCIATION, whose name is signed to the foregoing instrument, has acknowledged the same before me in the aforesaid jurisdiction as an officer of the Association on this 10th day of October, 2018.


Notary Public

My commission expires: _____

KIMBERLY W. SPARROW
NOTARY PUBLIC
REGISTRATION # 208523
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
APRIL 30, 2021

Exhibit A

PROPERTY DESCRIPTION Landfall at Jamestown, Phase One

All those certain lots or parcels of land located in the County of James City, Virginia shown and set out as Lots 1-12, as "Common Area" and as "Conservation Easement Area" on the plat of subdivision entitled, "Plat of Subdivision, Landfall at Jamestown, Phase One, Jamestown District, James City County, Virginia" made by Sledd & Associates, P.C. dated 10/23/97, and recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City in Plat Book 68 at pages 51-54.

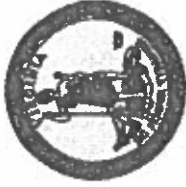
EXHIBIT B

Parcel ID	Owner	Subdivision
4640700006	ALEXANDER, ANDREW T & JUDITH C	L-6, P-1, Landfall at Jamestown
4732400064	AMUNDSON, PAUL R & NANCY L	L-64, P-5, Landfall at Jamestown
4640700025	ARATA, LARRY E & WOODRUFF, LYNDA	L-25, P-3, Landfall at Jamestown
4640700053	ARAUJO, STEPHEN K	L-53, P-2A, Landfall at Jamestown
4640700028	BARNES, WARREN	L-28, P-3, Landfall at Jamestown
4640700017	BLOUNT, JIMMY C & NANCY K	L-17, P-2A, Landfall at Jamestown
4732400083	BOWEN, KENNETH W & PATRICIA G	L-83, P-4, Landfall at Jamestown
4640700005	BRIDEWESER, RALPH EMERSON TRUSTEE &	L-5, P-1, Landfall at Jamestown
4732400084	BRUNO, FRANCIS A & REXANNE M	L-84, P-4, Landfall at Jamestown
4732400095	CAMPANA, RICHARD A TRUSTEE	L-95, P-4, Landfall at Jamestown
4640700001	CAMPBELL, MARK E A & ANN M	L-1, P-1, Landfall at Jamestown
4732400088	CAMPBELL, MARK E A & ANN M	New L-88, P-4, Landfall at Jamestown
4640700068A	CAPONE, FRANK TRUSTEE & PATRICIA A T	L-68A, P-5, Landfall at Jamestown
4732400036	CHEETHAM, PAUL F TRUSTEE & JANE T TR	L-36, P-4, Landfall at Jamestown
4640700012	CLAGETT, BRYAN E TRUSTEE &	L-12, P-1, Landfall at Jamestown
4640700007	CRAWFORD, DENNIS O & SHELIA J	L-7, P-1, Landfall at Jamestown
4732400032	CROMWELL, DAVID M. TRUSTEE &	L-32, P-4, Landfall at Jamestown
4640700056	CROSBIE, GARY F & MARY LOU	L-56, P-3, Landfall at Jamestown
4640800013	CURTIS, RONALD BUILDERS, L.L.C.	L-13 Landfall Village
4640800014	CURTIS, RONALD BUILDERS, L.L.C.	L-14 Landfall Village
4732400099	DAWSON, CHRISTOPHER A	L-99, P-4, Landfall at Jamestown
4732400092	DEAVER, JOHN TERRY TRUSTEE & TINA E	L-92, P-4, Landfall at Jamestown
4732400039	DEGARAFF, JAMES F & MELISSA K	L-39, P-5, Landfall at Jamestown
4640700022	DUNSMORE, MELISSA & RANDALL S	L-22, Prt L-21, P-3, Landfall at Jamestown
4640700066	ECKHOFF, THOMAS J & PAIGE P	L-66, P-5, Landfall at Jamestown
4640700054	ELLIS, REX M TRUSTEE & PAULETTE C TR	L-54, P-3, Landfall at Jamestown
4732400086	FRANCIS, SUSAN M TRUSTEE	L-86, P-4, Landfall at Jamestown
4640700058	FRYER, ROBERT H & CAROL E	L-58, P-3, Landfall at Jamestown
4640700014	GARVER, DAVID TRUSTEE & CINDY TRUSTE	L-14, P-2A, Landfall at Jamestown
4640700009	GIANVECCHIO, STEVEN R & TANG, JIN	L-9, P-1, Landfall at Jamestown
4640700048	GIBSON, FRANK D TRUSTEE & JUDITH F T	L-48, P-5, Landfall at Jamestown
4732400043	GONZALEZ, RICHARD F & DEBRA M	L-43, P-5, Landfall at Jamestown
4732400093	GRANDINETT, DAVID H TRUSTEE	L-93, P-4, Landfall at Jamestown
4732400044	GRAY, SCOTT N & KELLY A	L-44, P-5, Landfall at Jamestown
4732400041	HALACY, TODD M & JACQUELINE M	L-41, P-5, Landfall at Jamestown
4640700052	HALL, DOUGLAS E & MONICA E	L-52, P-5, Landfall at Jamestown
4640700010	HESS, JAMES B TRUSTEE & JEAN S TRUST	L-10, P-1, Landfall at Jamestown
4732400090	HHHUNT HOMES HAMPTON ROADS LLC	L-90, P-4, Landfall at Jamestown
4640800001	HHHUNT HOMES HAMPTON ROADS LLC	L-1 Landfall Village
4640800002	HHHUNT HOMES HAMPTON ROADS LLC	L-2 Landfall Village
4640800004	HHHUNT HOMES HAMPTON ROADS LLC	L-4 Landfall Village
4640800005	HHHUNT HOMES HAMPTON ROADS LLC	L-5 Landfall Village
4640800006	HHHUNT HOMES HAMPTON ROADS LLC	L-6 Landfall Village
4640800009	HHHUNT HOMES HAMPTON ROADS LLC	L-9 Landfall Village

4640800015	HHHUNT HOMES HAMPTON ROADS LLC	L-15 Landfall Village
4640800016	HHHUNT HOMES HAMPTON ROADS LLC	L-16 Landfall Village
4732400033	HOUSTON, DARRYL I & PAULA C	L-33, P-4, Landfall at Jamestown
4640700015	IORIZZO, LUCIANO JOHN JR TRUSTEE	L-15, P-2A, Landfall at Jamestown
4732400098	KAVANAGH, JAY FRANCIS TRUSTEE & MARY	L-98, P-4, Landfall at Jamestown
4732400085	KLETZLY, JOHN F III & SHERRY E ROTH	L-85, P-4, Landfall at Jamestown
4732400100	KLOCKER, SCOTT L TRUSTEE &	L-100, P-4 Landfall at Jamestown
4732400029	KOLODZINSKI, DAVID C TRUSTEE & PIERR	L-29, P-3, Landfall at Jamestown
4732400001A	LANDFALL AT JAMESTOWN COMMUNITY ASSO	Common Area P-4, Landfall at Jamestown
4640800001A	LANDFALL AT JAMESTOWN COMMUNITY ASSO	CA Landfall Village
4640700002	LIN, BIN & JIAO RU	L-2, P-1, Landfall at Jamestown
4732400034	LLOYD, THOMAS WAYNE &	L-34, P-4, Landfall at Jamestown
4640700057	MALONE, CAROLE J W TRUST	L-57, P-3, Landfall at Jamestown
4640700013	MARKOWITZ, STEVEN & PATRICIA R	L-13, P-1, Landfall at Jamestown
4640700059	MARPLE, CHRISTOPHER R & CATHY D	L-59, P-3, Landfall at Jamestown
4640700019	MCCORMACK, HELEN L & JAMES E	L-19, P-1A, Landfall at Jamestown
4732400040	MCCOY, MARY P	L-40, P-5, Landfall at Jamestown
4732400094	METCALFE, CRAIG ALAN TRUSTEE &	L-94, P-4, Landfall at Jamestown
4732400091	METCALFE, REBECCA A TRUSTEE & L D TR	L-91, P-4, Landfall at Jamestown
4640700055	MINGO, JAMES B & KATHLEEN J.	L-55, P-3, Landfall at Jamestown
4640700023	MORAN, KENNETH O & TERESA B.	L-23, P-3, Landfall at Jamestown
4640700047	MOSES, VERNON E & JEAN E	L-47, P-5, Landfall at Jamestown
4732400031	MOSLEY, WILLIAM & LINDSEY	L-31, P-3, Landfall at Jamestown
4732400060	MURPHY & SON, INC.	L-60, P-3, Landfall at Jamestown
4640700045	MURPHY, RICHARD B & PATRICIA	L-45, P-5, Landfall at Jamestown
4640700067	OWEN, JOHN R & MEREDITH S	L-67, P-5, Landfall at Jamestown
4732400030	PATEL, BHARAT J & NILIMA B	L-30, P-3, Landfall at Jamestown
4640800010	RICKS, TERRY D TRUSTEE & LAMB,	L-10 Landfall Village
4640800003	RING, LARAH E LEASE & DAVID L	L-3 Landfall Village
4732400065	RUGLESS, RALPH B	L-65, P-5, Landfall at Jamestown
4640700003	SAMUELSON, CHAD D & ANESSA	L-3, P-1, Landfall at Jamestown
4732400061	SB #3 LLC	L-61, P-3, Landfall at Jamestown
4640700004	SCHERBING, TODD ALAN & BETH ANN	L-4, P-1, Landfall at Jamestown
4732400062	SCHMIDT, WILLIAM G TRUSTEE &	L-62, P-5, Landfall at Jamestown
4640700018	SCHULTZ, RUTH E TRUSTEE	L-18, P-2A- Landfall at Jamestown
4640800007	SHAFER, RONALD G TRUSTEE & ROGERS,	L-7 Landfall Village
4640800011	SINGLETON, HENRY L TRUSTEE & JILLA R	L-11 Landfall Village
4640800008	SIZEMORE, RAY BREWER JR TRUSTEE &	L-8 Landfall Village
4640700021	SPONG, THOMAS N & MISTY C	L-20, Prt L- 21, P-3, Landfall at Jamestown
4640700008	STUMPF, BRADLEY S. & JESSICA	L-8, P-1, Landfall at Jamestown
4640700046	SWATS, CHARLES F & SHARON B	L-46, P-5, Landfall at Jamestown
4732400081	SWYNFORD, AGNEW III & SUSAN J	L-81, P-4, Landfall at Jamestown
4732400035	TREACY, JONATHAN T & DEBRA J	L-35, P-4, Landfall at Jamestown
4640700051	TRIEU, BO C & VUONG, JULIE H	L-51, P-5, Landfall at Jamestown
4732400082	TROLAN, WILLIAM L & LORI K	L-82, P-4, Landfall at Jamestown
4732400037	VAN DIVENDER, ROBERT N & GRACE F	L-37, P-5, Landfall at Jamestown
4732400097	VANDIVENDER, ROBERT N & GRACE F	L-97, P-4, Landfall at Jamestown

4640800012	WALTON, EDWARD	L-12 Landfall Village
4732400101	WATSON, MICHAEL B & AMY B	L-101, P-4, Landfall at Jamestown
4640700026	WEBER, DONALD M	L-26, P-3, Landfall at Jamestown
4640700024	WHITE, STEVEN D & DEBORAH H	L-24, P-3, Landfall at Jamestown
4732400096	WIJNTJES, JESSE TRUSTEE & LORIE TRUS	L-96, P-4, Landfall at Jamestown
4640700011	WILHIDE, TIMOTHY J & KATHLEEN A	L-11, P-1, Landfall at Jamestown
4732400042	WILLIAMSON, CHAD T & BETH ALISANDRA	L-42, P-5, Landfall at Jamestown
4732400102	WILLIAMSON, R THOMAS JR & JEAN S	L-102, P-4, Landfall at Jamestown
4640700068	YOWELL, STUART H TRUSTEE & CAROLYN F	L-68, P-5, Landfall at Jamestown

INSTRUMENT 180016333
RECORDED IN THE CLERK'S OFFICE OF
WMSBG/JAMES CITY CIRCUIT ON
October 15, 2018 AT 10:58 AM
MONA A. FOLEY, CLERK
RECORDED BY: JLZ



OFFICIAL RECEIPT
WILLIAMSBURG/JAMES CITY COUNTY CIRCUIT
DEED RECEIPT

DATE : 10/15/2018 TIME : 10:58:52 CASE # : 830CLR180016333
 RECEIPT # : 18000032854 TRANSACTION # : 18101500078
 CASHIER : JLZ REGISTER # : 8350
 INSTRUMENT : 180016333 BOOK : PAGE : FILING TYPE : AMEND PAYMENT : FULL PAYMENT
 GRANTOR : LANDFALL AT JAMESTOWN COMMUNITY ASSOCIATION RECORDED : 10/15/2018 AT : 10:58
 GRANTEE : LANDFALL AT JAMESTOWN COMMUNITY ASSOCIATION EX : N LOC : CO
 RECEIVED OF : TARLEY ROBINSON PLC EX : N PCT : 100%

ADDRESS :
 CHECK : \$60.00 CHECK NUMBER : 3938
 DESCRIPTION 1 : INST 980002236
 NAMES : 0
 CONSIDERATION : \$0.00 AVAL : \$0.00 PAGES : 078 OP : 0 MAP : PIN :

ACCOUNT CODE	DESCRIPTION	PAID
035	VOF FEE	\$1.00
106	(TTF) TECHNOLOGY TRUST FUND FEE (CIRCUIT COURT)	\$5.00
145	VSLF	\$1.50

ACCOUNT CODE	DESCRIPTION	PAID
301	DEEDS	\$48.50
423	E-RECORDING DEED PAPER FILING	\$2.00
442	TRANSFERS TO 113/315	\$2.00

TENDERED : \$ 60.00
 AMOUNT PAID : \$ 60.00