

Prepared By:  
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1 East Market Street, 3<sup>rd</sup> Floor  
Leesburg, VA 20176

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**Prepared Without Benefit of Title Examination**

**AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND  
DEED OF EASEMENT**

**THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND DEED OF EASEMENT** (the "Amendment") is made this 3<sup>rd</sup> day of May, 2001 by and among INTERACTIVE BUILDERS, INC., a Virginia corporation ("InterActive"); WETHERBURNE HOMES, L.C., a Virginia limited liability company ("Wetherburne"); REGIONAL PIEDMONT & POTOMAC DEVELOPMENT, L.L.C., a Virginia limited liability company ("Regional"); GMM DEVELOPMENT, L.L.C., a Virginia limited liability company and LANGBROEK, L.L.C., a Virginia limited liability company (together, "GMM-Langbroek") and JOHN B. TALBOT and BONNIE TALBOT, husband and wife ("Talbot" or "Lot 17 Owner")(InterActive, Wetherburne and Regional being herein sometimes collectively called the "Declarant" and individually called the "Individual Declarants").

**WITNESSETH:**

WHEREAS, the parties hereto are the sole owners of certain real property located in Loudoun County, Virginia, as follows:

InterActive owns Lots 4, 5A, 5B, 6A, 6B, 7, 8 and 9A, Section I, Hunting Hill Farms; Lot 3, Section III, Hunting Hill Farms; Lot 1, Section IV, Hunting Hill Farms; and Lots 1 through 5, 8, 9 and 20 through 26, Willowin Farms (collectively, the "InterActive Property"); and

Wetherburne owns Lots 10, 11, 12, 13, 14, 15, 16, 18 and 19, Willowin Farms (collectively, the "Wetherburne Property"); and

Regional owns Lot 2, Section IV, Hunting Hill Farms; Lot 6, Willowin Farms; and the 41.73 acre residue (Tax Map No. 56-62) shown on the subdivision plat for Willowin Farms (collectively, the "Regional Property"); and

GMM-Langbroek owns Lot 7, Willowin Farms (the "GMM-Langbroek Property"); and

Talbot owns Lot 17, Willowin Farms (the "Talbot Property").

WHEREAS, Declarant and GMM-Langbroek recorded a Declaration of Covenants, Conditions and Restrictions and Deed of Easement in Deed Book 1832 at page 1291 among the land records of Loudoun County, Virginia (the "Declaration"), which subjected the InterActive Property, the Wetherburne Property, the Regional Property, the GMM-Langbroek Property and the Talbot Property (collectively, the "Property") to certain covenants, conditions, restrictions, easements, charges and liens, as set forth in the Declaration; and

WHEREAS, pursuant to Article V, Section 5 of the Declaration, the Declaration may be amended with the assent of the "Owners" of at least two-thirds (2/3) of the "Lots," as such terms are defined in the Declaration, and furthermore, with the assent to the Declarant, and recorded in the land records of Loudoun County, Virginia to be effective; and

WHEREAS, InterActive, Wetherburne, Regional, GMM-Langbroek and Talbot, as the Owners of all the Lots, desire to amend the Declaration; and

WHEREAS, Declarant shall assent to such amendment; and

WHEREAS, InterActive, Wetherburne, Regional, GMM-Langbroek and Talbot, as the Owners of all the Lots in the Willowin subdivision, desire to affirmatively state that the Declaration, as amended herein, does hereby replace the Declaration of Division and Imposition of Restrictive Covenants on Willowin Farm recorded in Deed Book 813 at page 1813 among the land records of Loudoun County, Virginia.

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto, acting with respect to their respective portions of the Property, and the Declarant, do hereby amend the Declaration and do thereby subject the Property to the covenants, conditions, restrictions, easements, charges and liens hereinafter set forth, which are for the purpose of protecting and enhancing the character, appearance, quality and value of, and shall run with the Property, and shall be binding on and inure to the benefit of all parties having any right, title or interest in the Property, their heirs, successors and assigns; provided, however, that to the extent not modified herein, all covenants, conditions, restrictions, easements, charges and liens set forth in the Declaration, as conditioned, modified and qualified in accordance with the provisions of Article VI of the Declaration, shall remain in full force and effect.

Article III, Section 10 is hereby revised to add subparagraphs (f) and (g), as follows:

- f. Fences shall be maintained by Owners of Lots immediately adjacent to such fences. Each Owner shall maintain that portion of the fence which abuts his/her Lot line.
- g. For those Lots on which fences currently exist, any existing fence may remain "as

is" as long as it is maintained. If an existing fence is replaced, however, it must be replaced pursuant to the standards and specifications set forth in this Section 10.

h. Fencing shall be mandatory along all private roadways and bridle/walking trails.

Article V is hereby revised to add Section 8, as follows:

Section 8. Modification of Willowin Declaration. A Declaration of Division and Imposition of Restrictive Covenants on Willowin Farm was recorded in Deed Book 813 at page 1813 among the land records of Loudoun County, Virginia in 1982 ("Willowin Declaration"). Pursuant to paragraph 9 of the Willowin Declaration, the covenants set forth in the Willowin Declaration may be modified at any time by an instrument signed by a majority of the then owners of the parcels of the Willowin Farm subdivision. By their signatures hereto, all of the owners of all the Lots in the Willowin subdivision affirmatively state that the Declaration, as amended herein, does hereby modify and replace in its entirety the Willowin Declaration.

IN WITNESS WHEREOF, the Declaration, as modified hereby, is affirmed in full and, to the extent not modified, is incorporated herein by this reference.

FURTHER WITNESS the following signatures and seals of the Declarant, GMM-Langbroek and Talbot, who have caused this instrument to be executed.

INTERACTIVE BUILDERS, INC.,  
a Virginia Corporation

By: [Signature] (SEAL)

Name: James S. Webb

Title: PRESIDENT

COMMONWEALTH OF VIRGINIA,  
CITY/COUNTY OF LOUDOUN, to-wit:

The foregoing instrument was acknowledged before me this 2nd day of May, 2001 by James S. Webb as President of InterActive Builders, Inc.

[Signature]  
Notary Public

My commission expires: 9/30/03

WETHERBURNE HOMES, L.C.  
a Virginia limited liability company

By: [Signature] (SEAL)  
Name: STEPHAN M. LAMB  
Title: MANAGER

COMMONWEALTH OF VIRGINIA,  
CITY/COUNTY OF Fairfax, to-wit:

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of MAY,  
2001 by Stephan M Lamb as Manager of Wetherburne Homes, L.C.

[Signature]  
Notary Public

My commission expires: 7/31/2002

REGIONAL PIEDMONT & POTOMAC  
DEVELOPMENT, L.L.C., a Virginia limited  
liability company

By: *Herbert Jonkers* (SEAL)  
Name: HERBERT JONKERS  
Title: Mgr

COMMONWEALTH OF VIRGINIA,  
CITY/COUNTY OF LOUDOUN, to-wit:

The foregoing instrument was acknowledged before me this 2nd day of May,  
2001 by Herbert Jonkers as Managing Member of Regional Piedmont & Potomac  
Development, L.L.C.

*Jacqueline L. Allison*  
Notary Public

My commission expires: 9/30/03

GMM DEVELOPMENT, L.L.C., a Virginia limited liability company

By: [Signature] (SEAL)  
Name: C B HARMON  
Title: MANAGER

STATE OF SOUTH CAROLINA, At-Large

~~COMMONWEALTH OF VIRGINIA~~  
~~WEST VIRGINIA~~

. to-wit:

The foregoing instrument was acknowledged before me this 3 day of May, 2001 by C B Harmon as Manager of GMM Development, L.L.C.

[Signature]  
Notary Public

My commission expires: \_\_\_\_\_

NOTARY PUBLIC FOR SOUTH CAROLINA

My commission expires January 15, 2003

LANGBROEK, L.L.C., a Virginia limited liability company

By: [Signature] (SEAL)

Name: HERBERT JONKERS

Title: Mgr

COMMONWEALTH OF VIRGINIA,  
CITY/COUNTY OF LOUDOUN, to-wit:

The foregoing instrument was acknowledged before me this 2nd day of May,  
2001 by Herbert Jonkers as Managing Member of Langbroek, L.L.C.

Jacqueline K. Allison  
Notary Public

My commission expires: 9/30/03

*John B. Talbot* (SEAL)  
John B. Talbot

*Bonnie Talbot* (SEAL)  
Bonnie Talbot

COMMONWEALTH OF VIRGINIA,  
CITY/COUNTY OF Fairfax, to-wit:

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of MAY,  
2001 by John B. Talbot.

*Rebecca A. Symp*  
Notary Public

My commission expires: 7/31/2002

COMMONWEALTH OF VIRGINIA,  
CITY/COUNTY OF Fairfax, to-wit:

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of MAY,  
2001 by Bonnie Talbot.

*Rebecca A. Symp*  
Notary Public

My commission expires: 7/31/2002

RECORDED/W/CERT ANNEXED  
8  
2001 MAY -4 AM 11:01

LOUDOUN CO, VA  
TESTE: *Gary M. ...* .CLERK