

Chaz W. Haywood, Clerk of Court
Rockingham County, VA

Rockingham County Tax Parcel 130-A-9 (Portion)

**FOURTH AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF
DOWNEY KNOLLS RESIDENTIAL SUBDIVISION**

THIS AMENDMENT TO THE DECLARATION, made on the date hereinafter set forth by **BBWL, LLC**, a Virginia limited liability company, hereinafter referred to as “Declarant”.

WITNESSETH:

WHEREAS, Declarant entered into Declaration of Covenants, Conditions and Restrictions, which are of record in the Clerk’s Office of the Circuit Court of Rockingham County, Virginia, in Deed Book 4261, page 667 (“Declaration”); and

WHEREAS, Declarant entered into an Amendment to Declaration of Covenants, Conditions and Restrictions, which are of record in the aforesaid Clerk’s office in Deed Book 4586, page 81; and

WHEREAS, Declarant entered into an Amendment to Declaration of Covenants, Conditions and Restrictions, which are of record in the aforesaid Clerk’s office in Deed Book 4777, page 687; and

WHEREAS, Declarant entered into a Correction to an Amendment to Declaration of Covenants, Conditions and Restrictions, which are of record in the aforesaid Clerk’s office in Deed Book 4794, page 299; and

WHEREAS, Declarant entered into an Amendment to Declaration of Covenants, Conditions and Restrictions, which are of record in the aforesaid Clerk’s office in Deed Book 5053, page 249; and

WHEREAS, Declarant entered into a Correction to an Amendment to Declaration of

Covenants, Conditions and Restrictions, which are of record in the aforesaid Clerk's office in Deed Book 5066, page 447; and

WHEREAS, Declarant reserved the right to amend the Declaration; and

WHEREAS, Declarant and the other parties joining in hereto desire to further amend the Declaration.

NOW, THEREFORE, the Declaration shall be amended as follows:

FIRST, Section 15.3 is hereby deleted, and the following shall be substituted in its place and stead:

"15.3 Interest. If an Owner fails to pay the Association any Assessment or other amount due to the Association as and when the same becomes due, the Owner shall pay interest on such unpaid amount to the Association at the rate of ten percent (10%) per month until the fee is paid."

SECOND, under Section 7.1, section (e) is hereby added as follows:

"(e) Any builder, contractor or Owner who purchases a lot to build a home will not be assessed the annual homeowner Assessment Fee for up to twelve (12) months after purchase of the Lot as long as construction begins within a reasonable period after purchase. The Association Assessment Fee(s) will be due, at a prorated amount, to the new purchaser upon the closing of the home's sale or after the twelve (12) month period."

THIRD, the parties hereto represent more than seventy-five percent (75%) of the total number of votes to which Owners are entitled to cast pursuant to the Restrictive Covenants, and further, the parties hereto hereby ratify the previous above-referenced Amendments."

IN WITNESS WHEREOF, BBWL, LLC, a Virginia limited liability company, being the Declarant herein, has caused this Declaration to be executed in its name and on its behalf by its duly authorized Manager this 18th day of December, 2020.

BBWL, LLC

By: *Peter A. Bonavita*
PETER A. BONA VITA, Manager
Entitled to cast 21 of 46 total votes.

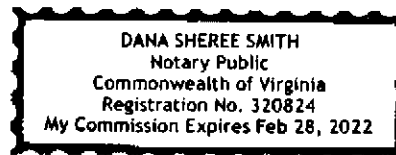
COMMONWEALTH OF VIRGINIA,
CITY/COUNTY OF Rockingham, to-wit:

The foregoing instrument was acknowledged before me in the jurisdiction aforesaid this 18
day of Dec., 2020, by PETER A. BONA VITA, Manager of BBWL, LLC.

My commission expires: 2-28-22

Notary Registration Number: 320824

Dana Sheree Smith
Notary Public



Kenneth R. Haines

Entitled to cast 1 of 46 total votes.

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

The foregoing instrument was acknowledged before me in the jurisdiction aforesaid this 11th
day of Dec., 2020, by Kenneth R. Haines.

My commission expires: Dec. 31, 2022.

Notary Registration Number: 7567344

Elizabeth Ann Kirtley
Notary Public



Linda S. Salter

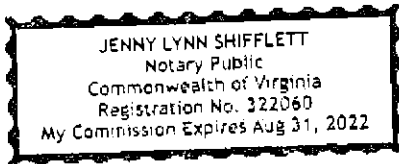
Entitled to cast 1 of 46 total votes.

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

The foregoing instrument was acknowledged before me in the jurisdiction aforesaid this 11th
day of December, 2020, by Linda S. Salter

My commission expires: 8/31/2022

Notary Registration Number: 322060



Jenny Lynn Shifflett
Notary Public

Helinda Risinger

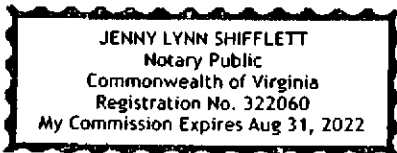
Entitled to cast 1 of 46 total votes.

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

The foregoing instrument was acknowledged before me in the jurisdiction aforesaid this 11th
day of December, 2020, by Helinda Risinger.

My commission expires: 8/31/2022.

Notary Registration Number: 322060



Jenny Lynn Shifflett
Notary Public

Michael W. Roe

Entitled to cast 1 of 46 total votes.

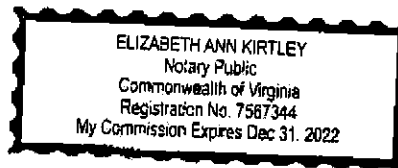
COMMONWEALTH OF VIRGINIA,
CITY/COUNTY OF Rockingham, to-wit:

The foregoing instrument was acknowledged before me in the jurisdiction aforesaid this 14th
day of Dec., 2020, by Michael W. Roe.

My commission expires: Dec. 31, 2022.

Notary Registration Number: 7567344

Elizabeth A. Kirtley
Notary Public



[Signature]

[Signature]

Entitled to cast ²/_X of 46 total votes.

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

The foregoing instrument was acknowledged before me in the jurisdiction aforesaid this 14th
day of Dec., 2020, by Gary C. Beatty.

My commission expires: Dec. 30, 2022.

Notary Registration Number: 7567344

[Signature]
Notary Public



Robert S Burt

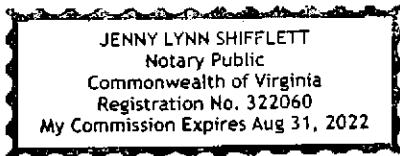
Entitled to cast 1 of 46 total votes.

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

The foregoing instrument was acknowledged before me in the jurisdiction aforesaid this 15th
day of December, 2020, by Robert S Burt.

My commission expires: 8/31/2022.

Notary Registration Number: 322060



Jenny Lynn Shifflett
Notary Public

Shelbia J. Fletcher

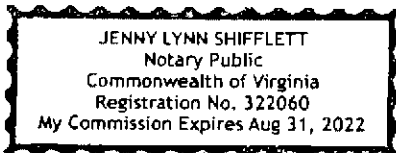
Entitled to cast 1 of 46 total votes.

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

The foregoing instrument was acknowledged before me in the jurisdiction aforesaid this 15th
day of December 2020, by Shelbia J. Fletcher.

My commission expires: 8/31/2022.

Notary Registration Number: 322060



Jenny Lynn Shifflett
Notary Public

Terri Jo Herring

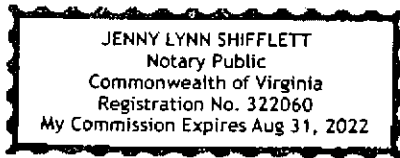
Entitled to cast 1 of 46 total votes.

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

The foregoing instrument was acknowledged before me in the jurisdiction aforesaid this 15th
day of December, 2020, by Terri Jo Herring.

My commission expires: 8/31/2022.

Notary Registration Number: 322060



Jenny Lynn Shifflett
Notary Public

James K. Hickey

Entitled to cast 1 of 46 total votes.

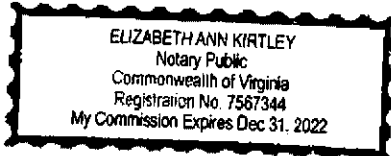
COMMONWEALTH OF VIRGINIA,
CITY/COUNTY OF Rockingham, to-wit:

The foregoing instrument was acknowledged before me in the jurisdiction aforesaid this 17th
day of Dec., 2020, by James K. Hickey.

My commission expires: Dec. 31, 2022.

Notary Registration Number: 7567344

Elizabeth Ann Kirtley
Notary Public



Ricky Cubbage

Entitled to cast ⁴ of 46 total votes.

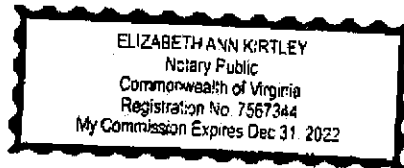
COMMONWEALTH OF VIRGINIA,
CITY/COUNTY OF Rockingham, to-wit:

The foregoing instrument was acknowledged before me in the jurisdiction aforesaid this 18th
day of Dec., 2020, by Ricky Lazo Cubbage.

My commission expires: Dec. 31, 2022.

Notary Registration Number: 7567344

Elizabeth Ann Kurtley
Notary Public



Sue Siever

Entitled to cast 1 of 46 total votes.

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

The foregoing instrument was acknowledged before me in the jurisdiction aforesaid this 11th
day of Dec., 2020, by Sue E. Siever.

My commission expires: Dec. 31, 2022.

Notary Registration Number: 7567344

Elizabeth Ann Kirtley
Notary Public

