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RPC 38-002-010
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AMENDMENT TO
THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS



20160100022466
10/19/2016 11:23:23 AM 1/3
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Arlington County Clerk
Paul Ferguson, Clerk
Grantor Tax: \$.00
State Tax: \$.00
Recording Fee: \$21.00

OF
FOREST HILLS COMMUNITY ASSOCIATION

WITNESSETH

WHEREAS, the Declaration of Forest Hills Community Association ("Association") dated March 4, 1974, as amended, was recorded at Deed Book 1853, Page 288, and, as further amended by an amendment recorded at Deed Book 4058, Page 2329, both in the Land Records of Arlington County, Virginia (the "Declaration"); and

WHEREAS the Association wishes to amend its Declaration as set forth herein; and

WHEREAS, pursuant to Article IX, Section 4 of the Association's Declaration, after the first twenty (20) years, the Declaration may be amended by an instrument signed by not less than seventy-five percent (75%) of the Owners and properly recorded; and

WHEREAS, pursuant to Section 55-515.1 of the Code of Virginia, 1950 edition (as amended), a provision of the Virginia Property Owners' Association Act (the "Act"), agreement of the required majority of lot owners to any amendment of the Declaration shall be evidenced by their execution of the amendment, or ratifications thereof, and the same shall be effective when a copy of the amendment is recorded together with a certification, signed by the principal officer of the Association or by such other officer or officers as the Declaration may specify, that the requisite majority of the lot owners signed the amendment or ratifications thereof; and

NOW, THEREFORE, pursuant to its authority to amend the Declaration as found in the Act and Article IX, of its Declaration, the Declaration is hereby amended as follows:

1. Article VIII, "Protective Covenants and Restrictions" Paragraph (4) is deleted and replaced with the following:

(4) No fence, wall, tree, hedge or shrub planting shall be maintained in such a manner as to obstruct sight lines for vehicular traffic. Except as may be required to comply with the prior sentence, no tree of a diameter of more than four inches measured two feet above ground level shall be removed without the approval of the Architectural Control Committee.

Return to:
Rees Broome, PC
1900 Gallows Road, Suite 700
Tysons Corner, VA 22182
(703) 790-1911

2. Article VIII "Protective Covenants and Restrictions" Paragraph (8) deleted and replaced with the following:

(8) No sign of any kind larger than one foot square shall be displayed to the public view on any lot, except temporary signs of less than four square feet advertising the said lot for sale or rent and except for temporary signs, erected by the Declarant in connection with the construction, lease, or sale of buildings and other parcels of The Properties.

3. Article VIII, "Protective Covenants and Restrictions" is amended to add the following paragraph:

(18) No Lot, or any portion thereof (including any portion of the building constructed thereon) (collectively, "Property") shall be made available, advertised, or used, for transient rental purposes. "Transient rental purposes", as used herein, shall mean, as way of example, and not limitation, renting, leasing, or otherwise receiving payment, whether in cash, cash equivalents, or barter, for the Property for any term of less than 30 consecutive days. Nothing in this paragraph shall preclude a Lot Owner from making his or her Property available to relatives or friends.

4. Article IX "General Provisions", Section 3 "Amendment" is amended to replace the third to last sentence with the following sentence:

This Declaration may be amended by an instrument signed by not less than two-thirds (2/3) of the Lot Owners.

Except as amended herein, the Declaration remains unchanged and in full force and effect. This Amendment shall be effective as of the date it is recorded among the Land Records of Arlington County, Virginia.

CERTIFICATE

I, the undersigned, do hereby certify:

I am the duly elected and acting President of the Forest Hills Community Association, located in Arlington County, Virginia, established pursuant to a Declaration for Forest Hills Community Association (the "Declaration") dated March 4, 1974 recorded among the Land Records of Arlington County, Virginia, as amended, recorded at Deed Book 1853, Page 288, and as further amended by an amendment recorded at Deed Book 4058, Page 2329. Further, as evidenced by the requisite signatures and acknowledgements on file with the Association of not less than seventy-five percent (75%) of the Class A Owners, that the foregoing constitutes an Amendment to the Declaration. In witness whereof, I have hereunto subscribed my name and affixed the seal of Forest Hills Community Association this 18th day of October, 2016.

Robert R. Pastuszek
President: Robert R. Pastuszek



City/County of ARLINGTON VIRGINIA
Commonwealth of Virginia

I, DAVID M BROADHERST, a notary public in and for the State and county aforesaid, do certify that Robert B Pastuszek, whose name is signed to the writing above, bearing date on the 18th day of October, 2016 has acknowledged the same before me in my county aforesaid. Given under my hand this 18th day of October, 2016.

David M Broadherst
Notary Public: DAVID BROADHERST



Notary Registration Number: 7090643
My Commission Expires: Aug 31 2019