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**AMENDMENT TO RESTRICTIVE COVENANTS
CONTAINED IN DEEDS OF SUBDIVISION, DEDICATION,
EASEMENT AND DECLARATION OF
ABRAMS POINTE, PHASES 1 A AND 1B**
[concerning Article II, Section 1]

THIS AMENDMENT TO THE RESTRICTIVE COVENANTS CONTAINED IN DEEDS OF SUBDIVISION, DEDICATION, EASEMENT AND DECLARATION ^{PL} OF ABRAMS POINTE, PHASES 1A AND 1 B is made effective this ¹⁰ day of January, 2022, by the Lot Owners in the above-named subdivision, as evidenced by the Certification and notarized signature of the President of the Abrams Pointe Homeowners Association, Inc. (the Association"). The original signatures of the Lot Owners are retained with the corporate records of the Association by its Secretary.

WHEREAS, Abrams Pointe, Phase 1A was subjected to the covenants, restrictions, easements, charges and liens set forth in the Deed of Subdivision, Dedication, Easement, and Declaration of Abrams Pointe Phase 1A recorded as Instrument No. 090012546, corrected by Corrected Deed of Subdivision, Dedication, Easement and Declaration of Abrams Pointe Phase 1 A recorded as Instrument No. 100011764, and amended by Amendment to Deed of Subdivision Dedication, Easement, and Declaration of Abrams Pointe Phase 1A recorded as Instrument No. 120014009 among the Frederick County, Virginia land records (collectively, the "Covenants and Restrictions"); *RED BHD. START*

WHEREAS, Abrams Pointe, Phase 1 B was subjected to the Covenants and Restrictions by the Deed of Dedication, Easement, and Supplementary Declaration of Covenants and Restrictions of Abrams Pointe Phase 1 B recorded as Instrument No. 120014010 among the aforesaid land records;

WHEREAS, Article X, Section 3 of the Covenants and Restrictions provides that the Covenants and Restrictions may be amended, after more than ten years from the date the Covenants and Restrictions were recorded, by an instrument signed by not less than sixty percent (60%) of the Lot Owners;

WHEREAS, more than sixty percent (60%) of the Lot Owners desire and intend to adopt an amendment to the Covenants and Restrictions, as evidenced by their signatures, retained by the Secretary, to allow for separate homeowners' associations between Phase 1 Lots and Phase 2 Lots or any future Phase 3 and Phase 4 property. This amendment is deemed a restriction in lieu of a previous restriction; and

Prepared by and Return to:

C. Alexander Hewes, Jr., VSB # 04922
Hewes Law
219 Summerfield Drive
Winchester, Virginia 22602

WHEREAS, the President of Abrams Pointe Homeowners Association certifies that more than sixty percent (60%) of the Lot Owners have approved the amendment and their signatures are retained in the records of the Association by the Secretary.

NOW, THEREFORE in accordance with Article X, Section 3 of the Covenants and Restrictions and pursuant to Virginia Code Section 55.1-1829.F, the President of Abrams Pointe Homeowners' Association, Inc. certifies that the following amendment has been adopted by the requisite number of Lot Owners as shown by their signatures retained by the Secretary:

Article II, Section 1 is hereby amended by striking the entire Section and replacing it with the following:

Section 1. Additional phases of the Abrams Pointe Subdivision may be added in the future as provided for in Section 2 hereof, and those phases so added, will become Existing Property and subject to the same provisions as set forth herein and will be governed by the Association, provided, however, that Declarants may amend the land use restrictions, set back requirements building sizes, and any other provisions, so long as the same scheme established in Abrams Pointe Phase 1A, that being single family residential lots, is maintained.

WITNESS the following signatures and seals:

[SIGNATURE PAGE TO FOLLOW]

CERTIFICATION

I, the undersigned principal officer of the association pursuant to VA Code §55.1-1829 F. hereby certify, that the requisite majority of lot owners (44) have signed the above-stated amendment.

Executed this 10th day of November 2021.

Jack H. Morano

President

Abrams Pointe Homeowners Association, Inc.

COMMONWEALTH OF VIRGINIA

CITY/COUNTY of Frederick, to-wit:

The foregoing instrument was acknowledged before me this 10th day of November, 2021 by Jack Morano.

Sara J O'Hara
NOTARY PUBLIC

Commission expiration date and seal:



VIRGINIA: FREDERICK COUNTY, SC1.

This instrument of writing was produced to me on

January 20, 2022 at 9:17 a.m.

and with certificate acknowledgement thereto annexed was admitted to record. Tax imposed by Sec. 58.1-802 of

\$ n/a, and 58.1-801 have been paid, if assessable

Rebecca P. Hogan, Clerk