

TAX MAP # 81-7-1-53

Prepared by and Return to:

Hugh J. M. Jones, III

VSF # 01226

JONES, JOHNSTON & WHITE, P.C.

20580 Timberlake Road

Lynchburg, Virginia 24502

File Number: Lit File - Lakepointe, LLC

THIS AMENDMENT OF DECLARATION OF RESTRICTIONS, made as of April 25, 2023, by LAKEPOINTE, LLC, a Virginia limited liability company, Grantor, herein referred to as "DEVELOPER";

WITNESSETH:

WHEREAS, by a plat entitled "Plat Showing Lakepointe, Jefferson Magisterial District, County of Bedford, Virginia," made by Perkins & Orrison, dated June 9, 2000 and revised July 14, 2000 and July 24, 2000, recorded in the Clerk's Office of the Circuit Court of Bedford County, Virginia, in September 11, 2000 as Instrument Number 000010343 and at Plat Book 39, pages 297 through 300, DEVELOPER has subdivided the property thereon described (the said property and the lots shown on said plat being herein referred to collectively as "Lakepointe"); and

WHEREAS, by Declaration of Restrictions dated September 11, 2000, (the "Declaration") recorded in the aforesaid Clerk's Office as Instrument Number 000010531, DEVELOPER imposed on the lots shown on said plat, certain restrictions and reservations; and

WHEREAS, Paragraph 24 of the Declaration provided that "As long as the DEVELOPER owns a lot in Lakepointe, the DEVELOPER may amend these restrictions

and reservations"; and

WHEREAS, the DEVELOPER no longer owns a lot in Lakepointe; and

WHEREAS, Paragraph 24 of the Declaration further provides that "At and after such time as the DEVELOPER does not own any such lot, these restrictions may be amended or terminated only by the written consent of the owners of at least sixty percent (60%) of the lots in Lakepointe, duly recorded in the aforesaid Clerk's Office; and

WHEREAS, the owners of more that sixty percent (60%) of the lots in Lakepointe have approved this amendment as required by Paragraph 24 of the Declarations.

NOW, THEREFORE, the owners of the lots in Lakepointe hereby amend, and supplement the provisions of Paragraph 21 of the Declarations dated September 11, 2000, as amended, by the recordation of this amendment along with Exhibit "A" attached hereto, which Exhibit shall be incorporated in, and become part of Paragraph 21 of the Declarations of record in the aforesaid Clerk's Office at Instrument Number 000010531.

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LAKEPOINTE, LLC

By: *Tommy R. DeWitt*
TOMMY R. DEWITT, Manager

STATE OF VIRGINIA

TO-WIT:

CITY/COUNTY OF Campbell

The foregoing deed was acknowledged before me in my said State and City/County this 31st day of May, 2023, by Tommy R. DeWitt, Manager of Lakepointe, LLC, a Virginia limited liability company, on behalf of said company, pursuant to due authority.

My commission expires 5/31/25

(SEAL)



Karen T. Mason

Notary Public

SEEN AND AGREED:

[Signature]
Chairman of the Architectural Committee
for Lakepointe Subdivision

*on behalf of
the Lakepointe AEC*

Procedures for Lakepointe Architectural Committee Operations
Effective 7-2022
Attachment 'A'
Pages 1 & 2

Our normal business practices are provided below:

The purpose of the AC is to enforce the Lakepointe Subdivision Restrictions and to approve work or changes to any lots and/or exterior of buildings. This document is intended to be an amendment to paragraph 21 in the Declarations dated 9-11-00.

The Architectural Committee shall consist of not less three (3) but not more than nine (9) lot owners. The term will be for two (2) years starting on August 1 of the calendar year. An AC member may serve two consecutive terms. A person may serve again after not serving for one term (2 years.) There may be only one committee member from each household.

All AC members must be in compliance with all Lakepointe Restrictions. If an AC member is deemed noncompliant, such member will be asked to resign from the Architectural Committee by either the AC Chairperson or AC Secretary.

If there is a complaint submitted about an AC member or if there is an Architectural Committee Request for Architectural Approval submitted by an AC member, that member may not cast a vote.

Anyone who wishes to be on the Architectural Committee should submit his/her name either by email, hand or regular mail to the AC Secretary by July 1 of an even calendar year. Voting for new AC members will take place during July of even numbered years.

Voting ballots will be sent by either email, hand or regular mail during the first week of July to each lot owner. Candidates will be approved by a majority of votes of ballots received. If there are more than (9) candidates, the top (9) vote-getters will be chosen. A candidate may not vote for him/herself. Voting for more than (9) members standing for election will not be counted. Write-in votes will not be counted. Only one valid ballot per house will be counted. Ballots must be received at lakepointe.architectural@gmail no later than July 31 of an even numbered year.

If at any time the number of members on the AC goes below (3) three members, the secretary will send out a request either by email, hand or regular mail to all lot owners asking for a replacement candidate to serve the interim term. If only one person

volunteers, that person will immediately be appointed to the AC to serve for the interim term. If there is more than one (1) candidate, the candidate with the majority of the votes received will be appointed to serve in the vacated position for the rest of the term. Voting/approval will take place within two weeks of vacancy. Results will be sent to lot owners either by email, hand or regular email within one (1) week after voting.

The Architectural Committee will select one of its members as Chairperson and one person as the Secretary. The Chairperson shall preside over all meetings. The Secretary shall keep accurate minutes of all meetings and handle all correspondences to Lakepointe lot owners.

Any meeting can proceed provided at least three (3) members are present, either in person or virtually. A majority vote of members represented at the meeting in person, virtually, or by vote cast in advance by email to all AC members will suffice to approve or reject any motions made. If there is a tie, then the Chairperson will make the final decision.

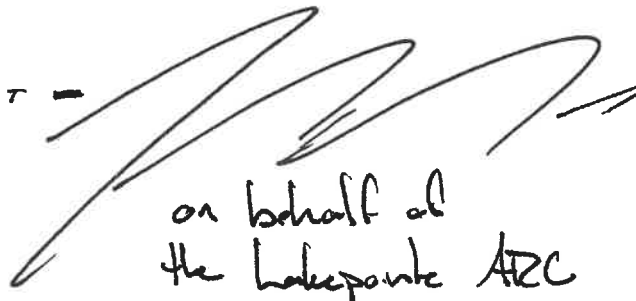
The Architectural Committee will hold its annual meeting in September or October of the calendar year. Timing is generally dependent upon the availability of the officers. This may be an in-person or a virtual meeting.

A written meeting notice of the annual meeting will be mailed or emailed to each lot owner, based on each lot owner's preferred method of communication. The notice will provide the date, time and place of the meeting, a written agenda for review of old business and items for new business. This notice will be mailed or emailed two weeks before the meeting. Minutes of the annual meeting will then be mailed or emailed to each lot owner within two (2) weeks after the annual meeting.

In the event of a conflict in the language in Paragraph 21 of the Declarations and this Attachment, 'A,' the language in this Attachment 'A' shall be controlling.

Architectural Committee

By JOEL DERHANT -
Chairman



on behalf of
the Lakepointe ARC

EXHIBIT 'A'
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