



FOURTH SUPPLEMENT AND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR GREENPORT SUBDIVISION, PHASE 4

THIS FOURTH SUPPLEMENT AND AMENDMENT TO DECLARATION (“Fourth Supplement”), is made this 9th day of August, 2018, by **GREENPORT GROUP, LLC**, a Virginia limited liability company, hereinafter referred to as “Declarant”, with the consent of the current lienholder on the property subject to this Fourth Supplement and Amendment.

WITNESSETH:

WHEREAS, Declarant previously recorded that certain Declaration of Covenants, Conditions, and Restrictions for Greenport Subdivision, Phase 2, which is found recorded in the Clerk’s Office of the Circuit Court of Rockingham County, Virginia, in Deed Book 4420, at page 418 (“Declaration”), and

WHEREAS, Declarant previously recorded that certain First Supplement to Declaration of Covenants, Conditions, and Restrictions for Greenport Subdivision, Phase 3A, which is found recorded in the Clerk’s Office of the Circuit Court of Rockingham County, Virginia, in Deed Book 4534, at page 793, and

WHEREAS, Declarant previously recorded that certain Second Supplement to Declaration of Covenants, Conditions, and Restrictions for Greenport Subdivision, Phase 3B, which is found recorded in the Clerk’s Office of the Circuit Court of Rockingham County, Virginia, in Deed Book 4648, at page 687,

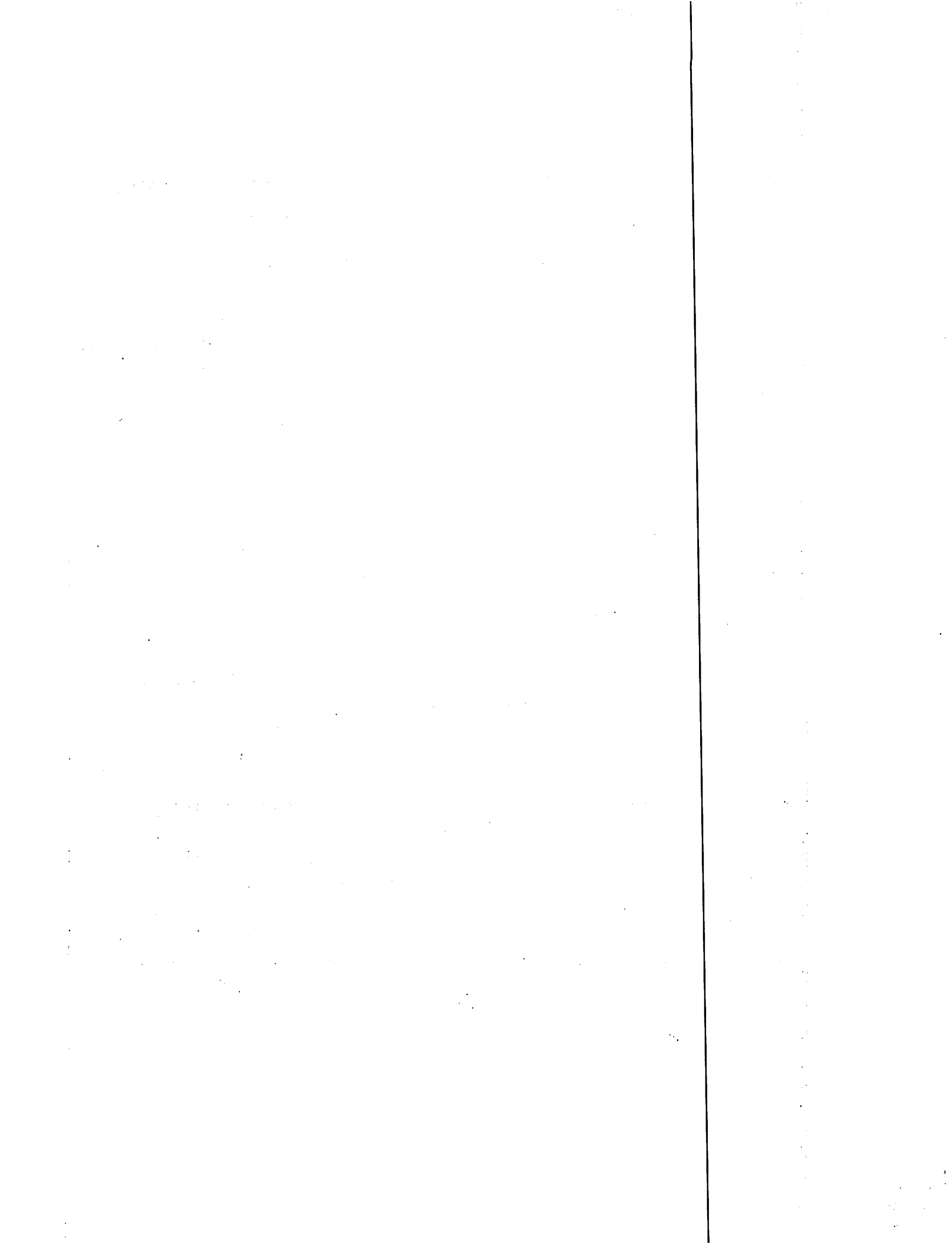
WHEREAS, Declarant previously recorded that certain Third Supplement to Declaration of Covenants, Conditions, and Restrictions for Greenport Subdivision, Phases 3A & 3B, which is found recorded in the Clerk’s Office of the Circuit Court of Rockingham County, Virginia, in Deed Book 4934, at page 6,

WHEREAS, Declarant has caused a plat entitled “GREENPORT SUBDIVISION, PHASE 4” prepared by Jeffrey S. Simmons, L.S., dated April 25,

Tax Map Number:
125G-14-A

14-1072
Drafted By:

CLARK & BRADSHAW, P.C.
ATTORNEYS AT LAW
92 NORTH LIBERTY STREET
P. O. BOX 71
HARRISONBURG, VIRGINIA
TCR/ehs⁰³
VSB #37275



2017 and revised July 24, 2018, ("Phase 4 Plat") to be recorded in the aforesaid Clerk's Office in Deed Book 5030, page 327.

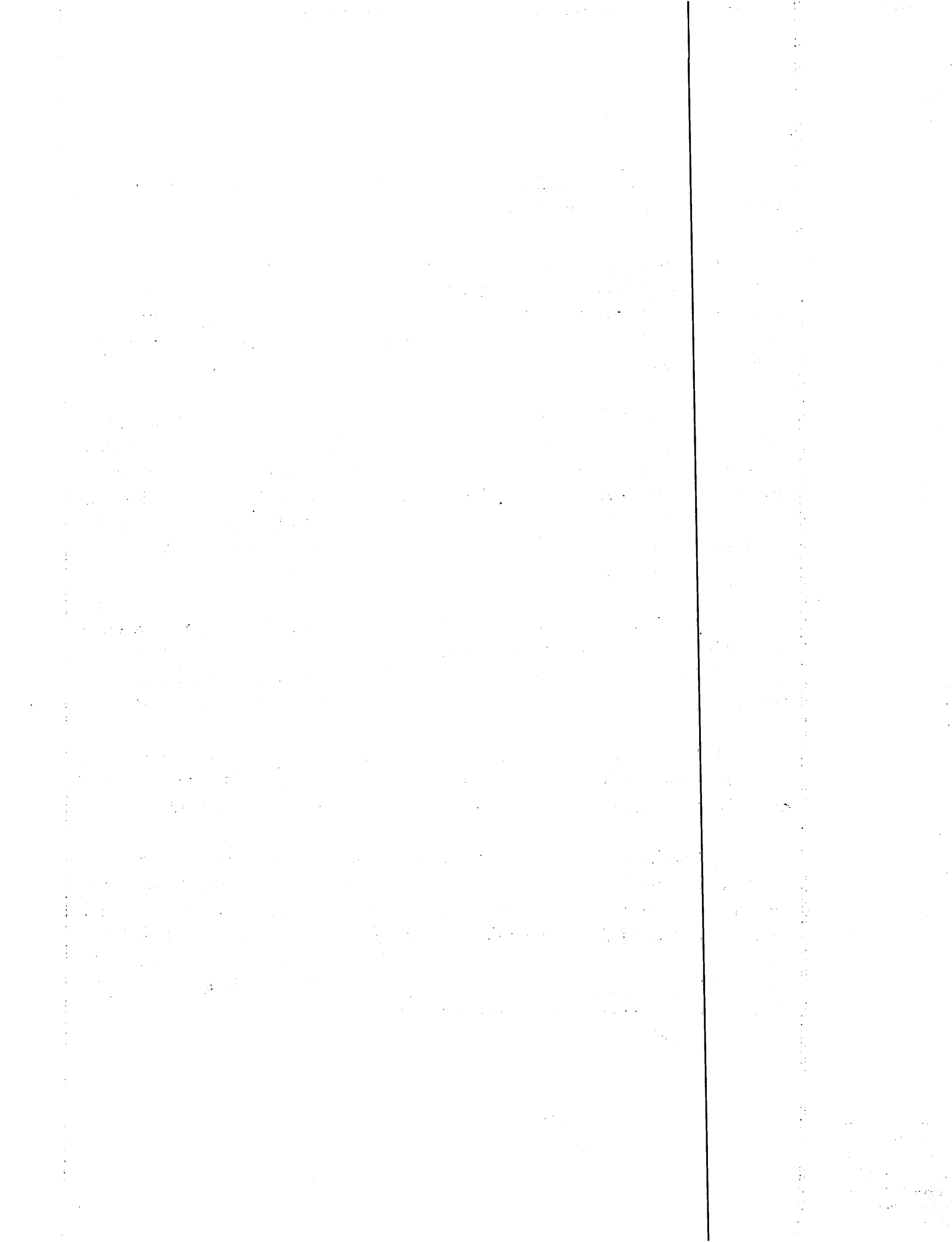
WHEREAS, Declarant is the owner of certain property located in Central District, Rockingham County, Virginia, which consists of nine (9) lots, green space/common area, shared parking/common area, and other land, containing an aggregate area of 39,402 square feet, being developed as Greenport Subdivision, Phase 4 ("Phase 4"); and;

WHEREAS, Lots 301, 302, 303, 304, 305, 306, 307, 308, and 309, a newly dedicated portion of Greenport Drive, a 13,374 square foot "shared parking/common area, and a 12,184 square foot "green space/common area" parcel are shown on the Phase 4 Plat which is recorded in Deed Book 5030, Page 537. All real property shown on the Phase 4 Plat containing 39,402 square feet is hereby made subject to the Declaration in order to insure purchasers of Lots in Phase 4 of a uniform mode of development; and

WHEREAS, In Article Nine, Section 9.3 of the Declaration, Declarant reserved for itself the authority to amend or supplement the Declaration at any time, in any fashion, including the addition of additional real property subject to the Declaration, and

WHEREAS, Declarant also wishes to provide amendments to clarify the use of certain terms contained on the Phase 4 Plat to be consistent with the term "Open Space" as used and defined in Section 1.7 of the Declaration, as amended.

WHEREAS, the Alfred Thomas Revocable Trust dated February 5, 2003 has a Credit Line Deed of Trust lien on the real property containing Phase 2, 3A, 3B and 4, which lien is hereby made subject to this Fourth Supplement. Said Credit Line Deed of Trust is recorded in the aforementioned Clerk's Office in Deed Book 4497, at Page 614. The Alfred Thomas Revocable Trust dated February 5, 2003, and the Trustee designated in said Deed of Trust join in this Fourth Supplement to evidence their consent hereto; and



NOW, THEREFORE, Declarant covenants and agrees for itself, its successors and assigns as follows:

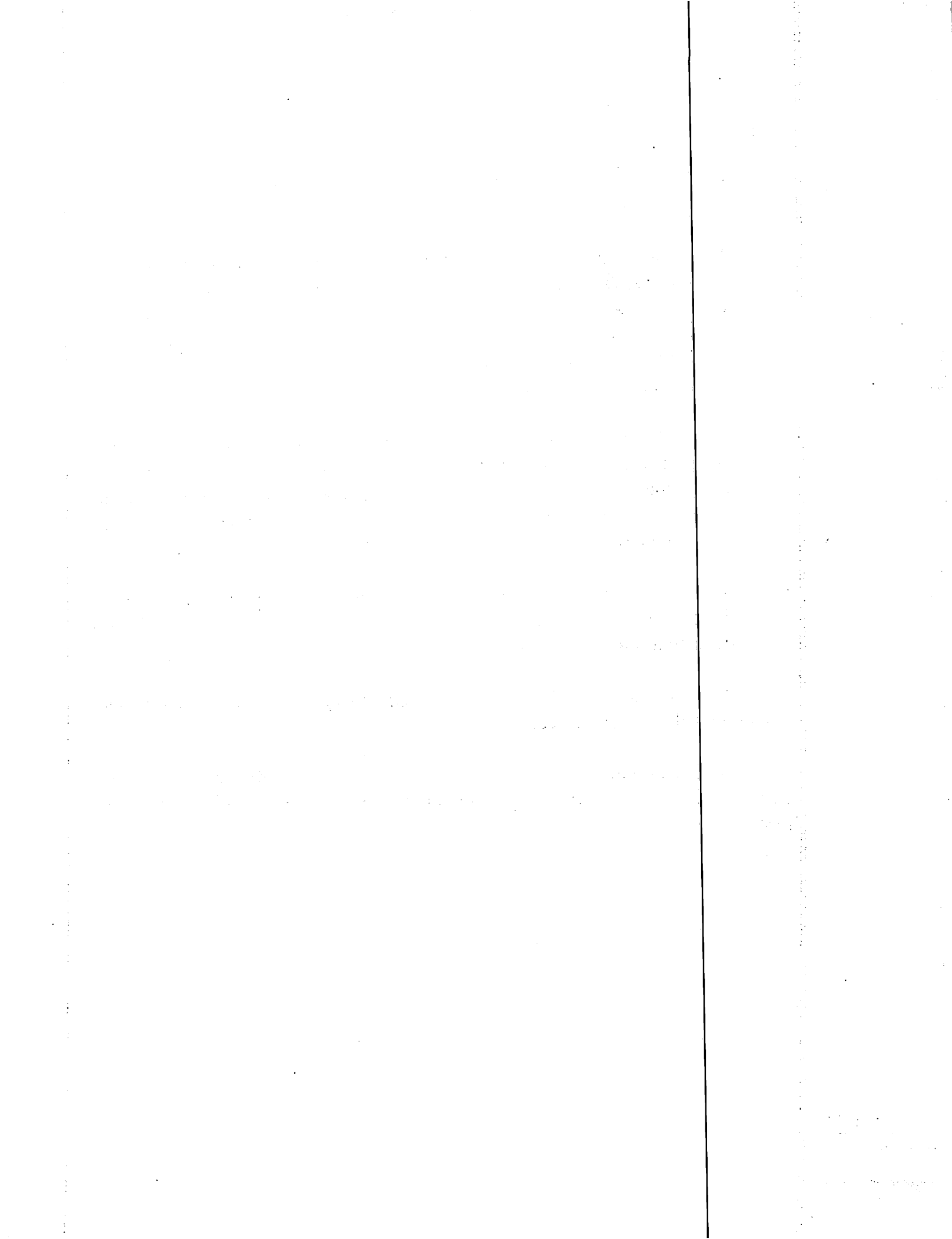
1. Declarant covenants and agrees for itself, its successors and assigns that the 39,402 square feet of real property shown on the Phase 4 Plat as Greenport Subdivision, Phase 4 shall be sold and held by the purchasers thereof, their heirs, successors, devisees, and assigns, subject to the Declaration as amended and to all easements as shown on the Plat which is recorded in the aforesaid Clerk's Office in Deed Book 5030, page 327.

2. Declarant hereby amends Section 1.7 of the Declaration to add a clause at the end of that Section to state, "The terms Shared Parking, Green Space and Common Area when shown on a plat for any real property which becomes subject to this Declaration shall be used synonymously with the term Open Space as defined in this Section.

3. Declarant further confirms that any areas shown on the Phase 4 Plat designated for Shared Parking shall be specifically subject to Section 8.11 of the Declaration, as amended.

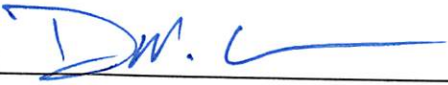
All portions of the Declaration not supplemented or amended herein shall remain in full force and effect.

Invalidation of any of the provisions of this instrument by judgment or Court Order shall in no way affect any of the other provisions and shall remain in full force and effect.



WITNESS the following signatures and seals.

GREENPORT GROUP, LLC
a Virginia limited liability company

By:  mae (Seal)
DEAN M. WEAVER, Manager

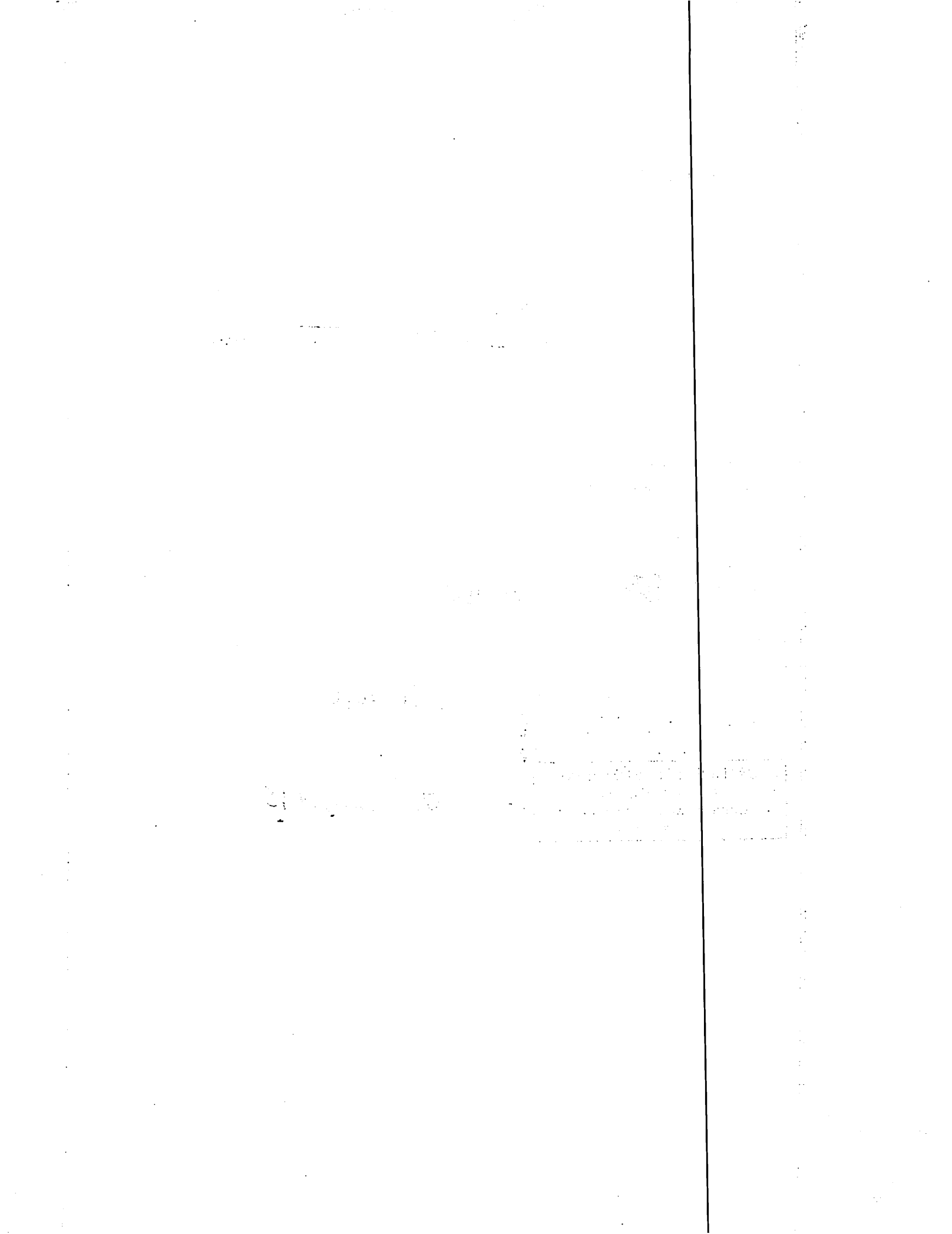
COMMONWEALTH OF VIRGINIA,
CITY OF HARRISONBURG, to-wit:

The foregoing instrument was acknowledged before me in the jurisdiction
aforesaid this 30th day of August, 2018, by Dean M. Weaver,
Manager of Greenport Group, LLC, a Virginia limited liability company.

My commission expires: Nov. 30, 2020

CATHERINE H. SUMMERS
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #167614


NOTARY PUBLIC



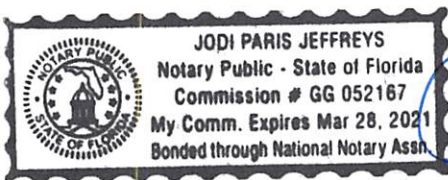
**Alfred Thomas Revocable Trust
dated February 5, 2003**

By:  (Seal)
ALFRED THOMAS, Trustee

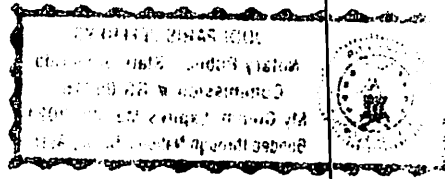
STATE OF FLORIDA,
CITY/COUNTY OF BROWARD, to-wit:

The foregoing instrument was acknowledged before me in the jurisdiction
aforesaid this 22nd day of August, 2018, by Alfred Thomas, Trustee
of the Alfred Thomas Revocable Trust dated February 5, 2003, Noteholder.

My Commission Expires: _____




NOTARY PUBLIC



By: *Todd C. Rhea* (Seal)
**TODD C. RHEA, Substitute Trustee, under
that certain recorded Deed of Trust with the
Alfred Thomas Revocable Trust dated
February 5, 2003**

COMMONWEALTH OF VIRGINIA
CITY OF HARRISONBURG, to-wit:

The foregoing instrument was acknowledged before me in the jurisdiction
aforesaid this 20th day of August, 2018, by Todd C. Rhea,
Substitute Trustee, under that certain recorded Deed of Trust with the Alfred
Thomas Revocable Trust dated February 5, 2003.

My Commission Expires: Nov. 30, 2020

CATHERINE H. SUMMERS
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #167614

C.H. Summers
NOTARY PUBLIC

2000

2000