Tax Map no. 125 (A) 112F (portion)

B2061P671

SUPPLEMENTAL DECLARATION OF PROTECTIVE COVENANTS

Kentshire Estates

THIS SUPPLEMENTAL DECLARATION is made this 1st day of April, 2002, by **SCAKL, L.C.**, a Virginia limited liability company, "Declarant," as grantor.

PREAMBLE

A. Declarant is the owner of twenty-three (23) lots (the "Property") situate in Central District, Rockingham County, Virginia, designated on a subdivision plat dated April 1, 2002, made by Benner & Associates, Inc. entitled **Kentshire Estates, Section Two,** which is recorded in the Clerk's Office of the Circuit Court of Rockingham County, Virginia just prior to the recordation hereof.

B. The Property is the second phase of **Kentshire Estates Subdivision**. The initial phase is shown on a plat by Benner and Associates, Inc., dated March 1, 2002, entitled **Kentshire Estates, Section One**, which plat is recorded in the Clerk's Office of the Circuit Court of Rockingham County, Virginia in Deed Book 2050, page 548. The Declaration of Protective Covenants (the "Declaration") pertaining to Kentshire Estates, Section One is recorded in the Clerk's Office in Deed Book 2050, page 551.

C. Declarant wishes to develop the Property as a residential community with a common architectural theme and design review process, but without common elements or common expenses, as those terms are typically used. The purpose of this supplemental declaration (the "Supplemental Declaration") is to subject the Property to the Protective Covenants of Kentshire Estates, pursuant to § 4.6 of the Declaration, thereby setting forth limitations and restrictions with respect to the use and design of improvements on the Property with the goal of (a) maintaining the Property as a pleasant and desirable environment; (b) establishing and preserving a harmonious design for the subdivision; and (c) protecting and enhancing the value of the Property.

Prepared by Litten & Sipe, L.L.P., 410 Neff Avenue, Harrisonburg, VA 22801

D. In addition to subjecting the Property to the Protective Covenants of Kentshire Estates, Declarant wishes to modify the provisions of § 3.3 of the Declaration, which modifications shall apply only to **Kentshire Estates, Section Two.**

NOW THEREFORE, Declarant makes this supplemental Declaration of Protective Covenants pursuant to § 4.6 of the Declaration of Protective Covenants, Kentshire Estates. The Property shown on the Plat entitled **Kentshire Estates, Section Two**, which plat is recorded immediately prior hereto, shall be deemed included within and subject to the Declaration of Protective Covenants, Kentshire Estates, provided however, § 3.3. of the Declaration shall be modified as set forth below. All of the Property shall be held, transferred, sold, conveyed and occupied subject to the limitations, restrictions and uses set forth in the Declaration (as modified) and this Supplemental Declaration which shall run with the Property and shall be binding on and inure to the benefit of all present and future Owners thereof. Neither the Declaration nor this Supplemental Declaration shall, however, be applicable to any other "phases" or sections of **Kentshire Estates** or any other land owned by Declarant, except for such land as may be added under § 4.6 of the Declaration.

Section 3.3 of the Declaration of Protective Covenants, Kentshire Estates, as applied only to **Kentshire Estates, Section Two**, is hereby amended in its entirety as follows:

> **§ 3.3.** For all lots except Lot 21, the minimum above-ground square footage (excluding porches, decks and garages) of any one-story dwelling shall be 2,200 square feet and shall be 1,500 square feet for the first (main) floor for any dwelling with more than one-story, provided such dwelling shall have a minimum total finished floor area (exclusive of porches and garages) of 2,500 square feet. Dwellings on all Lots except Lot 21 shall have an attached or in-basement garage. Carports are not permitted on any Lot.

IN WITNESS WHEREOF the Declarant has caused this writing to be executed on its behalf by its duly authorized agent.

SCAKL, L.C.

By: _____

Sam F. Huffman, sole manager

COMMONWEALTH OF VIRGINIA
CITY OF HARRISONBURG

The foregoing instrument was acknowledged before me this 1st day of April, 2002, by **Sam F. Huffman**, sole manager of SCAKL, L.C. on behalf of the company.

My commission expires March 31, 2005.

Carla S. Feaster
NOTARY PUBLIC

VIRGINIA: In the Clerk's Office of the Circuit Court of Rockingham County
The foregoing instrument was this day presented in the office aforesaid, and
together with the certificate of acknowledgement annexed, admitted to record
3 day of April, 20 02 at 11:30 M. Local
taxes were paid when applicable:
Sec. 58-54 – State ____ County ____ City ____
Sec. 58-54.1 – State ____ County ____ City ____ Transfer ____
Recording 19.00
TESTE
L. WAYNE HARPER
CLERK

Deed Book No 2061 Page 671

02 APR -3 AM 11:30
ROCKINGHAM COUNTY
CIRCUIT COURT
L. WAYNE HARPER, CLERK

010381