

# **AMENDMENT 2**

**AMENDMENT 2 DOES 2 THINGS:**

- **CANCELS AND VOIDS AMENDMENT 1**
- **REINSTATES ORIGINAL COVENANTS AS THE  
BINDING COVENANT DOCUMENT APPLYING  
TO OLDE HERMITAGE**

AMENDMENT NO. 2  
TO THE DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS

THIS SECOND AMENDMENT TO DECLARATION is made as of the 1st day of December, 1990, by OLDE HERMITAGE ASSOCIATION, INC., a Virginia corporation, hereinafter referred to as "Declarant."

W I T N E S E T H:

WHEREAS, Olde Hermitage Subdivision (the "Subdivision") consists of certain improved real property containing approximately 23 acres and certain unimproved real property designated as "Common Area" containing approximately 5.6 acres, all in Henrico County, Virginia, as more specifically described in Schedule A and Schedule B, respectively, which schedules are attached hereto and by this reference made a part hereof; and

WHEREAS, the Subdivision is subject to the provisions of a certain "Declaration of Covenants, Conditions and Restrictions" made the 1st day of September, 1988, by Three Chopt Estates Corp., a Virginia corporation, and recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia, in Deed Book 2156, Page 1856; and

WHEREAS, Declarant caused to be prepared, executed and recorded in the aforesaid Clerk's Office in Deed Book 2240, Page 0205, a certain "Amendment No. 1 to the Declaration of Covenants, Conditions and Restrictions"; and

WHEREAS, Declarant now wishes to avoid and terminate the aforesaid "Amendment No. 1 To the Declaration of Covenants, Conditions and Restrictions," nunc pro tunc to April 2, 1990;

NOW, THEREFORE, Declarant hereby declares that all of the properties described above shall be held, sold and conveyed subject to the easements, restrictions, covenants and conditions that are set forth in that certain "Declaration of Covenants, Conditions and Restrictions, Olde Hermitage Subdivision" recorded in the Clerk's Office, Circuit Court, Henrico County, Virginia, in Deed Book 2156, Page 1856, all of which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and be binding on all parties having any right, title or interest in the described properties, or in any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

Declarant further hereby declares that Amendment No. 1 to the Declaration of Covenants, Conditions and Restrictions, Olde Hermitage Subdivision, recorded in the Clerk's Office, Circuit Court, Henrico County, Virginia, in Deed Book 2240, Page 0205, is hereby voided and terminated nunc pro tunc to April 2, 1990, and shall be of no further force or effect whatsoever.

IN WITNESS WHEREOF the undersigned Declarant has caused this Second Amendment to Declaration to be executed by Michael D. Hall, its President, this 3rd day of December, 1990.

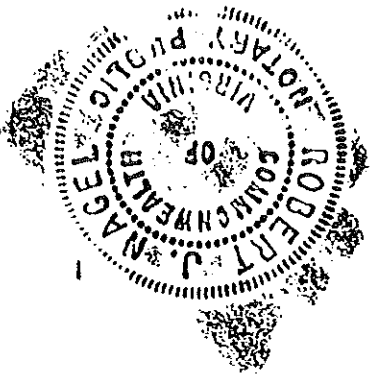
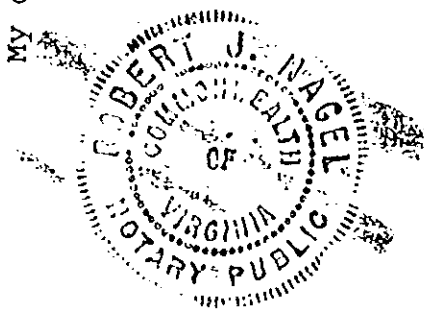
OLDE HERMITAGE ASSOCIATION, INC.  
A Virginia Corporation

By: Michael D. Hall  
Michael D. Hall, President

The foregoing instrument was acknowledged before me on this  
30 day of December, 1990, by **MICHAEL D. HALL**, as  
President of **Olde Hermitage Association**, a Virginia corporation,  
in the City/County of Richmond, Virginia.

Robert J. Nagel  
Notary Public

My commission expires: \_\_\_\_\_  
My Commission Expires October 8, 1991



SCHEDULE "A"

ALL those certain lots, pieces or parcels of land, together with all improvements thereon and appurtenances thereto belonging; lying and being in Brookland District, Henrico County, Virginia, containing approximately 23 acres, more or less, known and designated as Olde Hermitage, as shown on subdivision plat made by Lewis & Associates, P.C., Consulting Engineers, Land Surveyors & Planners, Richmond, Virginia, entitled "OLDE HERMITAGE", dated August 20, 1988, recorded October 6, 1988, in the Clerk's Office, Circuit Court, Henrico County, Virginia, in Plat Book 87, page 98.

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(This property erroneously described in "Amendment No. 1 to the Declaration of Covenants, Conditions and Restrictions" by reference therein to a plat dated February 22, 1988.)

SCHEDULE "B"

ALL that certain parcel of land, containing approximately 5.6 acres, designated as "Common Area", lying and being in Brookland District, Henrico County, Virginia, as shown on subdivision plat made by Lewis & Associates, P.C., Consulting Engineers, Land Surveyors & Planners, Richmond, Virginia, entitled "OLDE HERMITAGE", dated August 20, 1988, recorded October 6, 1988, in the Clerk's Office, Circuit Court, Henrico County, Virginia, in Plat Book 87, page 98.

(This property erroneously described in "Amendment No. 1 to the Declaration of Covenants, Conditions and Restrictions" by reference therein to a plat dated February 22, 1988.)

VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE COUNTY OF HENRICO

This Deed was presented, and with the Certificate annexed admitted to record

on DEC 28 1990 at 1:14 o'clock P. M.

State Tax	_____
County Tax	_____
Grantor's Tax (100)	_____
(200-A)	_____
Transfer Fee	13.00
Clerk's Fee	1.00
VSLF 145	14.00
Total	\$ 14.00

*Margaret A. Carter*  
Clerk

Mail to: *Maloney, Heatts*