

06937

CHANGE IN PART

TO DECLARATION OF PROTECTIVE AND RESTRICTIVE COVENANTS

GREEN HILL ACRES

WHEREAS, GREEN HILL ACRES is a subdivision of fourteen parcels as shown by plat of subdivision made by R. J. Morris, C.L.S., dated May 13, 1980, and recorded in the Office of the Clerk of the Circuit Court of the County of Shenandoah, Virginia in Deed Book 411, page 618; and,

~~099-03-0-01~~ WHEREAS, by deed recorded in the aforesaid Clerk's Office in Deed Book 813, page 412, Lot 1 as designated on the aforesaid plat of subdivision is now owned by James E. Cushman or Pauline K. Cushman; and,

~~099-03-0-02~~ WHEREAS, by deed recorded in the aforesaid Clerk's Office in Deed Book 0416, page 837, Lot 2 as designated on the aforesaid plat of subdivision is now owned by Gerald A. Gray or Margaret A. Gray; and,

~~099-03-0-03~~ WHEREAS, by deed recorded in the aforesaid Clerk's Office in Deed Book 913, page 821, Lot 3 as designated on the aforesaid plat of subdivision is now owned by Jeffrey H. Swingholm; and,

~~099-03-0-04~~ WHEREAS, by deed recorded in the aforesaid Clerk's Office in Deed Book 942, page 692, Lot 4 as designated on the aforesaid plat of subdivision is now owned by Richard F. Steventon, Jr. or Beth O. Steventon; and,

~~099-03-0-05~~ WHEREAS, by deed recorded in the aforesaid Clerk's Office in Deed Book 0411, page 614, Lot 5 as designated on the aforesaid plat of subdivision is now owned by Joseph E. Rennard or Christine M. Rennard; and,

~~099-03-0-05A~~ WHEREAS, by deed recorded in the aforesaid Clerk's Office in Deed Book 863, page 595, Lot 5A as designated on the aforesaid plat of subdivision is now owned by Donald A. Bogar or Sharla Bogar; and,

~~099-03-0-06~~ WHEREAS, by deed recorded in the aforesaid Clerk's Office in Deed Book 0417, page 646, Lot 6 as designated on the aforesaid plat of subdivision is now owned by Herbert L. Tanner or Helen L. Tanner; and,

~~099-03-0-07~~ WHEREAS, by deed recorded in the aforesaid Clerk's Office in Deed Book 1040, page 839, Lots 7 and 8 as designated on the aforesaid plat of subdivision are now owned by Jeffrey T. Fleisher; and,

Mailed To: Herbert L. Tanner  
PO. Box 858  
New Market, VA 22844

099-03-0-09 ✓ WHEREAS, by deed recorded in the aforesaid Clerk's Office in Deed Book 0637, page 503, Lot 9 as designated on the aforesaid plat of subdivision is now owned by Haywood C. Johnson or Jean T. Johnson; and,

099-03-0-10 ✓ WHEREAS, by deed recorded in the aforesaid Clerk's Office in Deed Book 885, page 699, Lot 10 as designated on the aforesaid plat of subdivision is now owned by Van L. Sailo or Mary A. Sailo; and,

099-03-0-011 ✓ WHEREAS, by deed recorded in the aforesaid Clerk's Office in Deed Book 843, page 159, Lot 11 as designated on the aforesaid plat of subdivision is now owned by Jackie Lee Hayes and Mary Hayes; and,

099-03-0-012 ✓ WHEREAS, by deed recorded in the aforesaid Clerk's Office in Deed Book 623, page 809, Lot 12 as designated on the aforesaid plat of subdivision is now owned by John W. Fiske or Rose H. Fiske; and,

099-03-0-13 ✓ WHEREAS, by deed recorded in the aforesaid Clerk's Office in Deed Book 777, page 164, Lot 13 as designated on the aforesaid plat of subdivision is now owned by Cornelius D. Sullivan and Mary A. Sullivan; and,

099-03-0-14 ✓ WHEREAS, by deed recorded in the aforesaid Clerk's Office in Deed Book 672, page 375, Lot 14 as designated on the aforesaid plat of subdivision is now owned by John S. Boyles or Kathleen A. Boyles; and,

099-03-0-15A ✓ WHEREAS, by deed recorded in the aforesaid Clerk's Office in Deed Book 678, page 569, Lot 15A as designated on the aforesaid plat of subdivision is now owned by John M. Lepper; and,

099-03-0-15B ✓ WHEREAS, by deed recorded in the aforesaid Clerk's Office in Deed Book 777, page 164, Lot 15B as designated on the aforesaid plat of subdivision is now owned by Cornelius D. Sullivan and Mary A. Sullivan; and,

099-03-0-05C ✓ WHEREAS, by deed recorded in the aforesaid Clerk's Office in Deed Book 718, page 472, Lot 15C as designated on the aforesaid plat of subdivision is now owned by James R. Lacek or Karen L. Lacek; and,

099-03-0-15D ✓ WHEREAS, by deed recorded in the aforesaid Clerk's Office in Deed Book 796, page 250, Lot 15D as designated on the aforesaid plat of subdivision is now owned by Cornelius Dennis Sullivan; and,

099-03-0-15E ✓ WHEREAS, by deed recorded in the aforesaid Clerk's Office in Deed Book 934, page 638, Lot 15E as designated on the aforesaid plat of subdivision is now owned by Richard F. Steventon; and,

094-03-015F

WHEREAS, by deed recorded in the aforesaid Clerk's Office in Deed Book 858, page 686, Lot 15F as designated on the aforesaid plat of subdivision is now owned by Anthony F. Pestilli and Doris S. Pestilli; and,

WHEREAS, each of the above lots was conveyed subject to the DECLARATION OF PROTECTIVE AND RESTRICTIVE COVENANTS for GREEN HILL ACRES as set forth in the aforesaid Clerk's Office in Deed Book 411, page 607; and,

WHEREAS, it is the desire, pursuant to paragraph (18) of the aforesaid DECLARATION, to change in part the aforesaid DECLARATION.

NOW, THEREFORE, in consideration of the mutual covenants of the aforesaid parties, their heirs, assigns and successors in interest, do hereby make the following changes:

Paragraph (5) is hereby changed to read:

(5) The minimum area of living space of any single family dwelling erected on a lot, regardless of the number of floors contained therein, and exclusive of garages, porches, and basements, shall be not less than two thousand (2,000) square feet.

Paragraph (13) is hereby changed to read:

(13) No existing lot shall be subdivided and no existing lot shall for any purpose be reduced in size to less than three (3) acres. "Subdivided" shall not include adjustments in property lines.

Anywhere in the DECLARATION which calls for approval by the Developer is changed to call for approval by the KAYHILL/GREENHILL PROPERTY OWNERS ASSOCIATION, INC.

Witness the following signatures and seals:

\_\_\_\_\_(SEAL)  
JAMES E. CUSHMAN

*Pauline K. Cushman* (SEAL)  
PAULINE K. CUSHMAN

STATE OF: \_\_\_\_\_

CITY/COUNTY OF: \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2003 by James E. Cushman