

FIRST SUPPLEMENT to DECLARATION of
COVENANTS, CONDITIONS and RESTRICTIONS
for
CHATHAM SQUARE SUBDIVISION

THIS FIRST SUPPLEMENT TO DECLARATION (“First Supplement”) is made this 29th day of March, 2016, by CHATHAM LAND COMPANY, a Virginia corporation, GRANTOR, hereinafter referred to as “Declarant”.

WITNESSETH:

WHEREAS, Declarant previously recorded that certain Declaration of Covenants, Conditions, and Restrictions for Chatham Square Subdivision (“Subdivision”), which is found recorded in the Clerk’s Office of the Circuit Court of Rockingham County, Virginia, in Deed Book 3532, at page 206 (“Declaration”), and

WHEREAS, in Article Nine, Section 9.3 of the Declaration, Declarant reserved for itself the authority to amend the Declaration, and

WHEREAS, Declarant recently obtained rezoning approval from the City of Harrisonburg, Virginia, to re-subdivide the thirty-two (32) remaining Lots in the subdivision to reduce the number of remaining Lots from Thirty-two (32) to Twenty (20), and

WHEREAS, Declarant has recorded a “Chatham Square Resubdivision” plat made by Hal T. Benner, L.S., dated December 15, 2015, and recorded in the aforementioned Clerk’s Office in Deed Book 4702, at page 630, (the “2015 Benner Plat”) effectuating the reduction in Lot numbers, and

WHEREAS, Declarant is the owner of the remaining portion of the Subdivision containing 6.211 acres, which consists of Twenty (20) unsold lots, green space, and other land, as described on the 2015 Benner Plat, which is hereby made subject to the Declaration as amended by this First Supplement, and

WHEREAS, there is no current lienholder on the portion of the Subdivision currently owned by Declarant that is subject to this First Supplement.

NOW, THEREFORE, Declarant covenants and agrees for itself, its successors and assigns that the real property shown on the 2015 Benner Plat as Chatham Square ReSubdivision shall be sold and held by the purchasers thereof, their heirs, successors, devisees, and assigns, subject to the Declaration as amended by this First Supplement and to all easements as shown on the 2015 Benner Plat which is recorded in the aforementioned Clerk's Office in Deed Book 4702, at page 630 hereto.

All legal description and lot line changes to the remaining Twenty (20) Lots owned by the Declarant as shown on the 2015 Benner Plat are hereby made subject to the Declaration, and any green space or common areas shown on the 2015 Benner Plat that are altered shall be subject to the Declaration and transferred to Association control and responsibility as shown on the 2015 Benner Plat.


Pursuant to an Agreement with the City of Harrisonburg, Virginia, new Lots 12, 13, 15, 17, 19, 20, 21, 22, 23, 25 and 26 contain two (2) water meters and shall be required to install an irrigation system on the second meter, which installation shall not require a second tap or hook-up fee.

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.

IN WITNESS WHEREOF, Chatham Land Company, a Virginia corporation, has caused this First Supplement writing to be signed in its name and on its behalf as thereunto duly authorized.

CHATHAM LAND COMPANY
a Virginia corporation

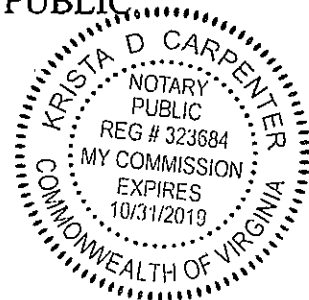
By:  (Seal)
ROBERT G. BECK, President

COMMONWEALTH OF VIRGINIA,
CITY/COUNTY of JAMES CITY, to-wit:

The foregoing instrument was acknowledged before me in the jurisdiction aforesaid this 29th day of March, 2016, by ROBERT G. BECK, President of Chatham Square Company, a Virginia corporation, on behalf of the corporation.

My commission expires: OCTOBER 31, 2019.


NOTARY PUBLIC



ROCKINGHAM COUNTY
Chaz W. Haywood
CLERK OF COURT
Harrisonburg, VA 22801



60 2016 00009264

Instrument Number: 2016- 00009264

As

Recorded On: March 30, 2016

Restrictive Covenants

Parties: CHATHAM LAND COMPANY

To

NO GRANTEE

Recorded By: VALLEY SOUTHERN TITLE

Num Of Pages: 4

Comment:

**** Examined and Charged as Follows: ****

Restrictive Covenants	6.50	10 or Fewer Pages	14.50
Recording Charge:	21.00		

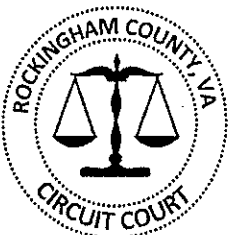
**** THIS PAGE IS PART OF THE INSTRUMENT ****

I hereby certify that the within and foregoing was recorded in the Register of Deeds Office For: ROCKINGHAM COUNTY, VA

File Information:

Record and Return To:

Document Number: 2016- 00009264	VALLEY SOUTHERN TITLE
Receipt Number: 342002	410 NEFF AVE
Recorded Date/Time: March 30, 2016 03:38:28P	HARRISONBURG VA 22801
Book-Vol/Pg: Bk-OR VI-4709 Pg-421	
Cashier / Station: A Pittman / Cash Station 3	



THE STATE OF VIRGINIA)
COUNTY OF ROCKINGHAM}

I certify that the document to which this authentication is affixed is a true copy of a record in the Rockingham County Circuit Court Clerk's Office and that I am the custodian of that record.

CLERK OF COURT
ROCKINGHAM COUNTY, VIRGINIA

ROCKINGHAM COUNTY
Chaz W. Haywood
CLERK OF COURT
Harrisonburg, VA 22801



60 2016 00007736

Instrument Number: 2016- 00007736

As

Owner's Consent

Recorded On: March 17, 2016

Parties: CHATHAM LAND COMPANY

To

NO GRANTEE

Recorded By: CLARK & BRADSHAW PC

Num Of Pages: 10

Comment:

**** Examined and Charged as Follows: ****

Owner's Consent	6.50	10 or Fewer Pages	14.50
Recording Charge:	21.00		

**** THIS PAGE IS PART OF THE INSTRUMENT ****

I hereby certify that the within and foregoing was recorded in the Register of Deeds Office For: ROCKINGHAM COUNTY, VA

File Information:

Record and Return To:

Document Number: 2016- 00007736

Receipt Number: 340862

Recorded Date/Time: March 17, 2016 01:07:17P

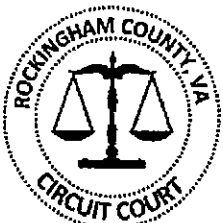
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Cashier / Station: A Wolverton / Cash Station 3

CLARK & BRADSHAW PC

92 NORTH LIBERTY ST

HARRISONBURG VA 22802



THE STATE OF VIRGINIA }
COUNTY OF ROCKINGHAM }

I certify that the document to which this authentication is affixed is a true copy of a record in the Rockingham County Circuit Court Clerk's Office and that I am the custodian of that record.

CLERK OF COURT
ROCKINGHAM COUNTY, VIRGINIA

CHATHAM SQUARE RESUBDIVISION

CITY OF HARRISONBURG, VIRGINIA

DECEMBER 15, 2015

OWNER'S CONSENT AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT, CONTAINING 6.211 ACRES, MORE OR LESS, AND DESIGNATED AS CHATHAM SQUARE RESUBDIVISION IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS THEREOF;

THAT ALL LOTS WITHIN THE SUBDIVISION ARE SUBJECT TO CERTAIN RESTRICTIONS, RESERVATIONS, STIPULATIONS AND COVENANTS AS CONTAINED IN A WRITING EXECUTED BY THE UNDERSIGNED, DATED MAY 21, 2009 AND RECORDED IN THE CLERK'S OFFICE OF ROCKINGHAM COUNTY, VIRGINIA IN DEED BOOK 3532, PAGE 206.

THE SAID 6.211 ACRES OF LAND HEREBY SUBDIVIDED IS THE LAND CONVEYED TO CHATHAM LAND COMPANY BY EIGHTY ONE, LLC BY DEED DATED FEBRUARY 19, 2007, AND RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA IN DEED BOOK 3056, PAGE 586 AND SUBDIVIDED BY CHATHAM LAND COMPANY ACCORDING TO SUBDIVISION OF "CHATHAM SQUARE" DATED FEBRUARY 20, 2009 AND RECORDED JUNE 5, 2009 IN THE SAID CLERK'S OFFICE IN DEED BOOK 3532, PAGE 185. LOT 11 CHATHAM SQUARE DEED BOOK 3532, PAGE 185 WHICH IS INCLUDED IN THE 6.211 ACRES HEREBY SUBDIVIDED IS THE LOT CONVEYED BY CHATHAM LAND COMPANY TO NANCY J. LANTZ BY DEED DATED SEPTEMBER 9, 2013 AND RECORDED IN SAID CLERK'S OFFICE IN DEED BOOK 4315, PAGE 671.

GIVEN UNDER MY HAND THIS 7th DAY OF MARCH, 2016.

CHATHAM LAND COMPANY
BY: Krista D. Carpenter *Vice President*
TITLE

Kristine MacKenzie
NOTARY PUBLIC
REG. #7117082
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES AUGUST 31, 2019

STATE OF VIRGINIA AT LARGE
CITY/COUNTY OF James City County, TO WIT:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME IN THE JURISDICTION AFORESAID THIS 7th DAY OF March, 2016, BY Krista Carpenter *Vice President* OF CHATHAM LAND COMPANY, A VA CORP., ON BEHALF OF THE CORPORATION.

MY COMMISSION EXPIRES: August 31, 2019
Kristine MacKenzie
NOTARY PUBLIC
Reg# 7117082

GIVEN UNDER MY HAND THIS 8th DAY OF March
NANCY J. LANTZ
Nancy J. Lantz

Carole M. Jones
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #107831

STATE OF VIRGINIA AT LARGE
CITY/COUNTY OF Harrisonburg, TO WIT:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 8th DAY OF March, 2016, BY NANCY J. LANTZ

Carole M. Jones
NOTARY PUBLIC
MY COMMISSION EXPIRES October 31, 2016

CERTIFICATE OF APPROVAL

THIS SUBDIVISION KNOWN AS CHATHAM SQUARE IS APPROVED BY THE UNDERSIGNED PURSUANT TO SECTION 10-2-8 OF THE HARRISONBURG CITY CODE AND MAY BE ADMITTED TO RECORD.

Ad Hatch

03-02-16

DIRECTOR OF COMMUNITY DEVELOPMENT

DATE

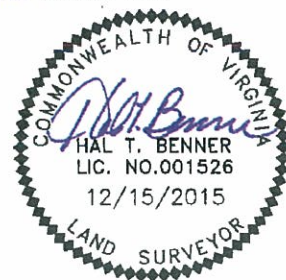
SURVEYOR'S CERTIFICATE

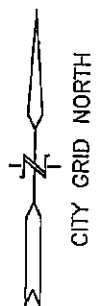
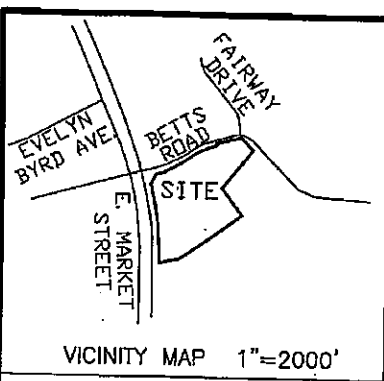
I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL OF THE REQUIREMENTS OF THE PLANNING COMMISSION AND ORDINANCES OF THE CITY OF HARRISONBURG, VIRGINIA, REGARDING THE PLATTING OF SUBDIVISIONS WITHIN THE CITY HAVE BEEN COMPLIED WITH.

GIVEN UNDER MY HAND THIS 15th DAY OF DECEMBER, 2015.

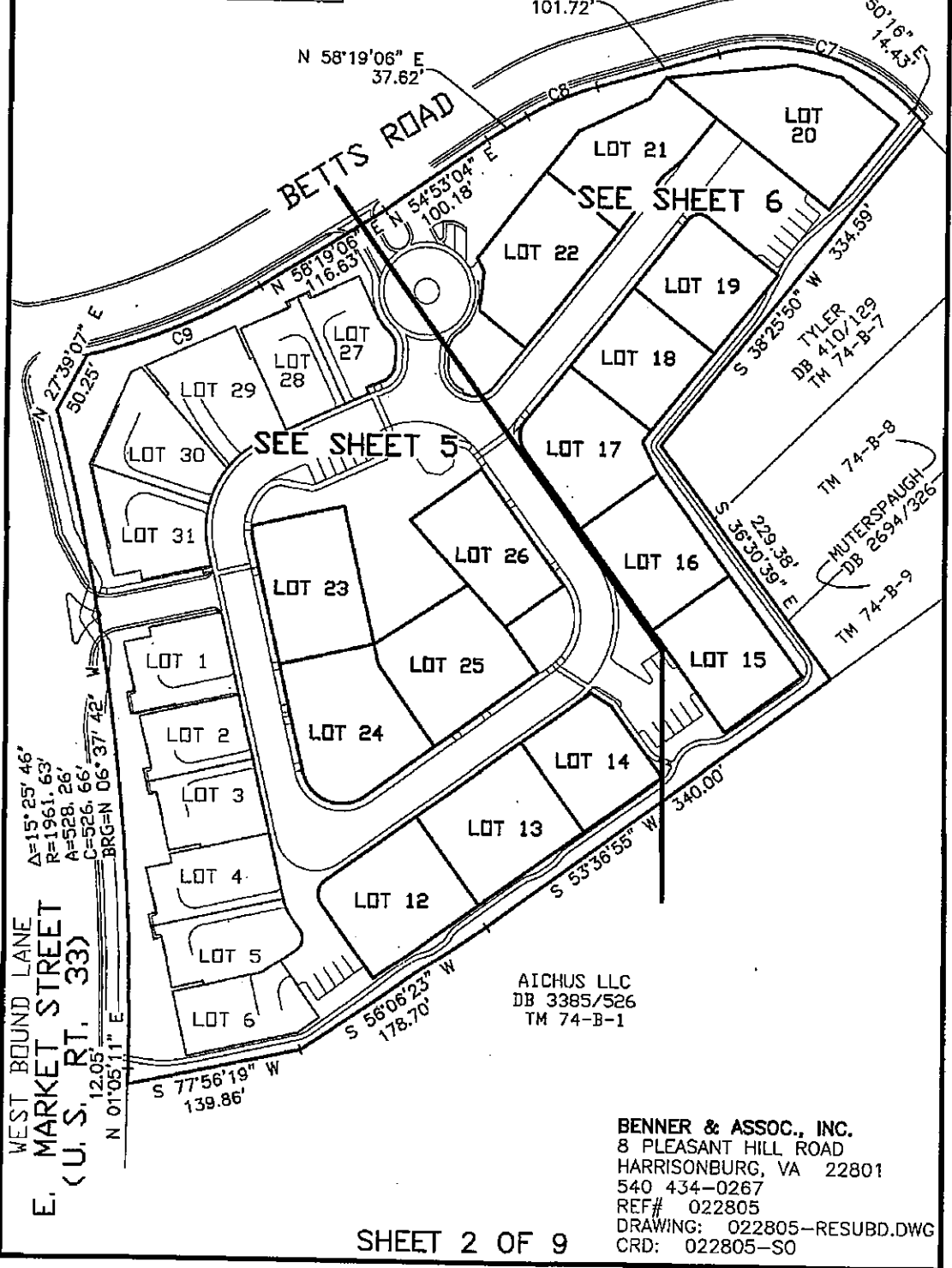
BENNER & ASSOC., INC.
8 PLEASANT HILL ROAD
HARRISONBURG, VA 22801
540 434-0267
REF# 022805
DRAWING: 022805-RESUBD.DWG
CRD: 022805-SO

SHEET 1 OF 9





SCALE: 1"=100'
 KEY SHEET
 SEE SHEET 9
 FOR CURVE TABLE
 & LINE TABLE

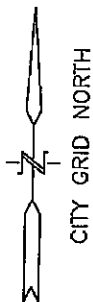


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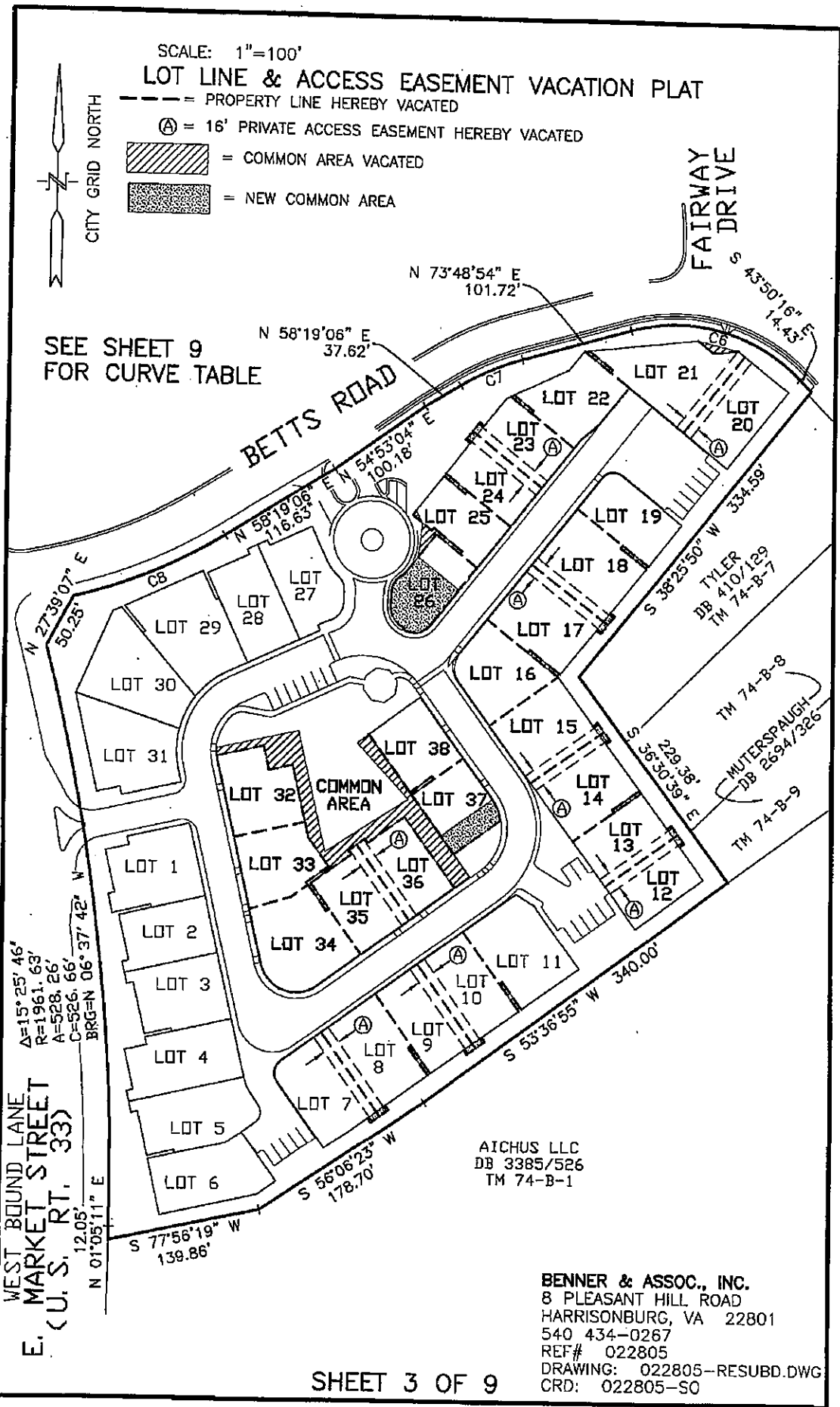
SCALE: 1"=100'

LOT LINE & ACCESS EASEMENT VACATION PLAT

- = PROPERTY LINE HEREBY VACATED
- (A) = 16' PRIVATE ACCESS EASEMENT HEREBY VACATED
- [Hatched Box] = COMMON AREA VACATED
- [Stippled Box] = NEW COMMON AREA



SEE SHEET 9 FOR CURVE TABLE

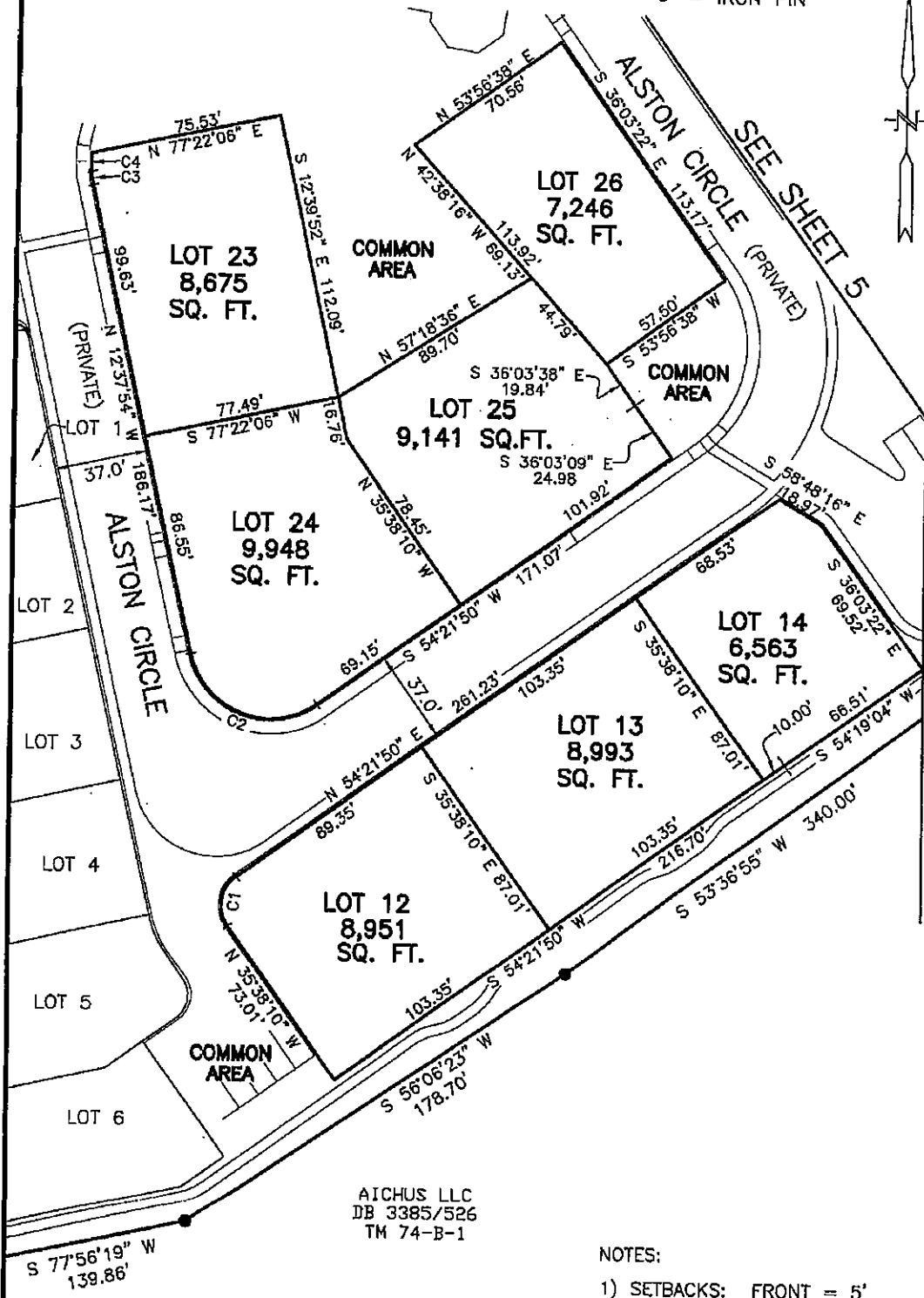
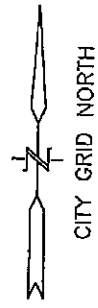


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SEE SHEET 9 FOR
CURVE & LINE TABLES

SCALE: 1"=50'

● = IRON PIN



AICHUS LLC
DB 3385/526
TM 74-B-1

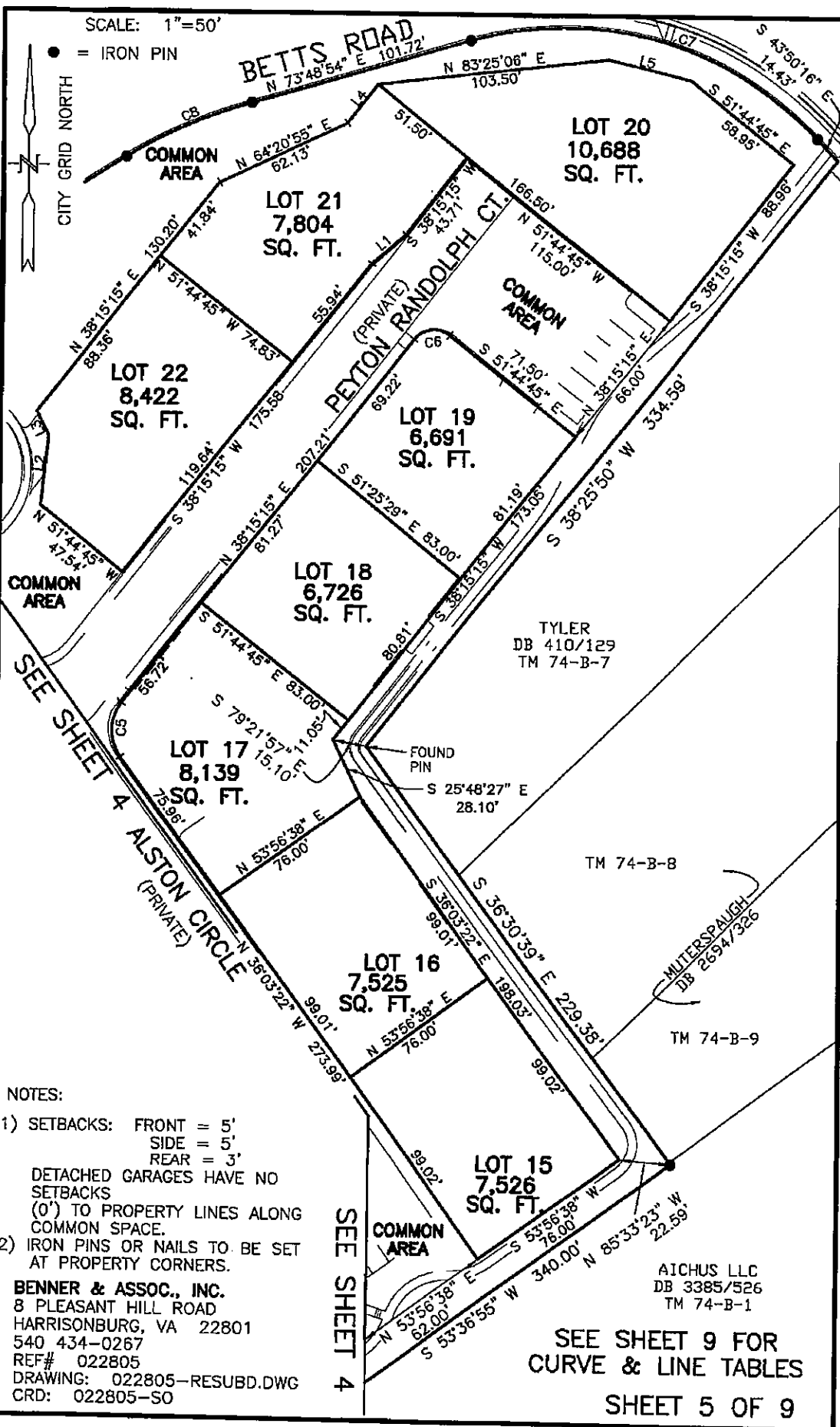
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NOTES:

- 1) SETBACKS: FRONT = 5'
SIDE = 5'
REAR = 3'
DETACHED GARAGES HAVE NO
SETBACKS
(0') TO PROPERTY LINES ALONG
COMMON SPACE.
- 2) IRON PINS OR NAILS TO BE SET
AT PROPERTY CORNERS.

SCALE: 1"=50'

● = IRON PIN



NOTES:

- 1) SETBACKS: FRONT = 5'
SIDE = 5'
REAR = 3'
- DETACHED GARAGES HAVE NO SETBACKS (0') TO PROPERTY LINES ALONG COMMON SPACE.
- 2) IRON PINS OR NAILS TO BE SET AT PROPERTY CORNERS.

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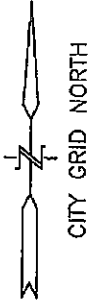
SEE SHEET 4

SEE SHEET 9 FOR CURVE & LINE TABLES

AICHUS LLC
 DB 3385/526
 TM 74-B-1

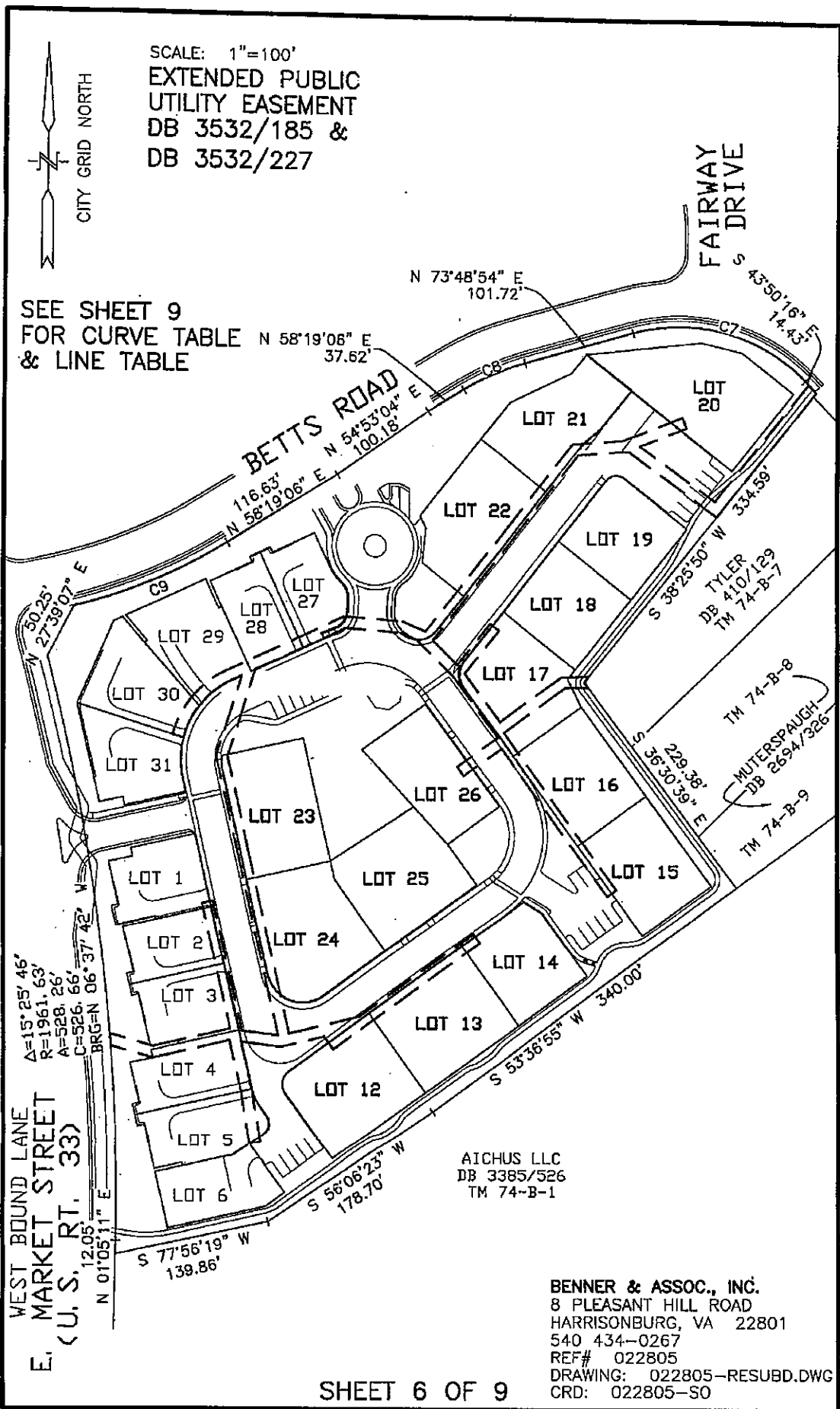
TYLER DB 410/129 TM 74-B-7

MUTERSPAUGH DB 2694/326 TM 74-B-9

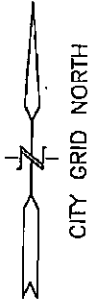


SCALE: 1"=100'
 EXTENDED PUBLIC
 UTILITY EASEMENT
 DB 3532/185 &
 DB 3532/227

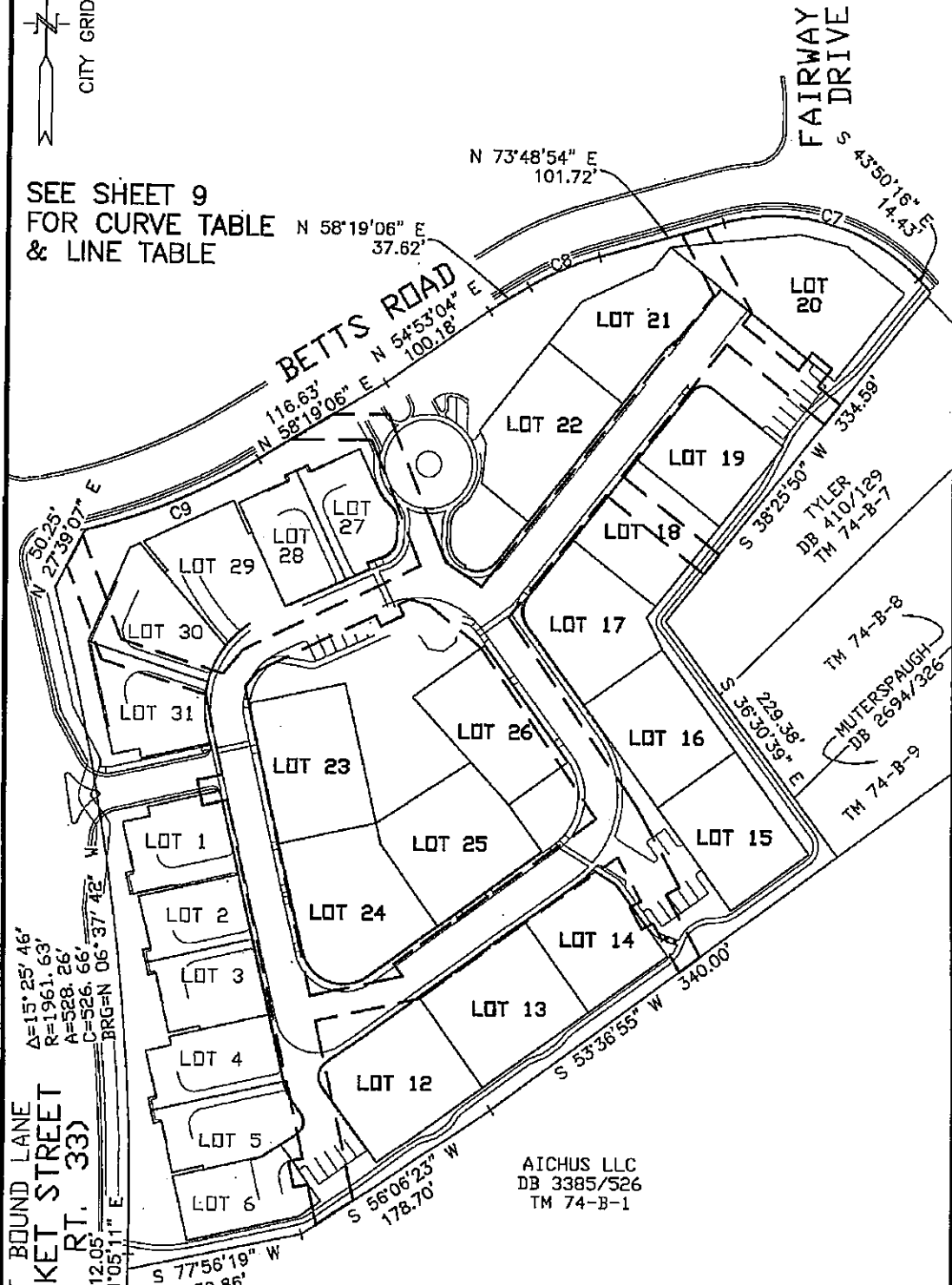
SEE SHEET 9
 FOR CURVE TABLE
 & LINE TABLE



SCALE: 1"=100'
**PUBLIC WATER &
 SANITARY SEWER EASEMENT**
 DB 3532/185 & DB 3532/227



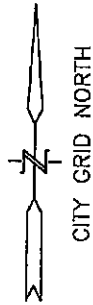
SEE SHEET 9
 FOR CURVE TABLE
 & LINE TABLE



WEST BOUND LANE
 E. MARKET STREET
 (U.S. RT. 33)
 12.05'
 N 01°05'11" E
 A=15°25'46"
 R=1961.63'
 A=328.26'
 C=526.66'
 BRG=N 06°37'42" W

AICHS LLC
 DB 3385/526
 TM 74-B-1

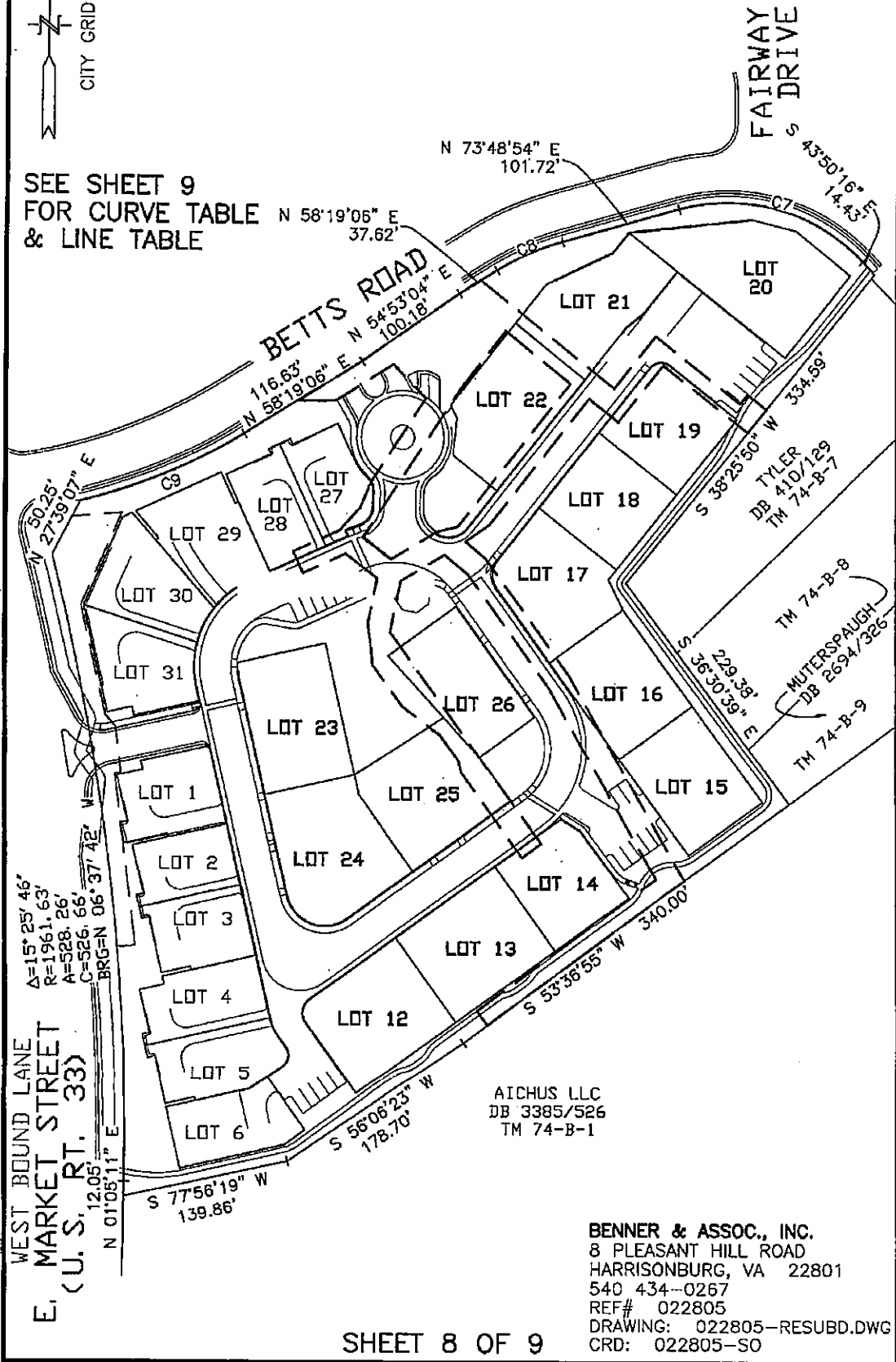
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SCALE: 1"=100'

PRIVATE STORM EASEMENT
DB 3532/185 & DB 3532/227

SEE SHEET 9
FOR CURVE TABLE
& LINE TABLE



WEST BOUND LANE
E. MARKET STREET
(U.S. RT. 33)
12.05'
N 01°05'11" E
S 77°56'19" W 139.86'
N 15°25'46" R=1961.63' A=528.26' C=526.66' BRG=N 06°37'42" W

AICHUS LLC
DB 3385/526
TM 74-B-1

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CURVE TABLE

CURVE	RADIUS	ARC	CHORD	CHORD BEARING	DELTA	TANGENT
C1	14.00'	21.99'	19.80'	N 09°21'50" E	89°59'59"	14.00'
C2	32.00'	63.11'	53.37'	N 69°08'02" W	113°00'16"	48.35'
C3	42.00'	5.44'	5.44'	N 08°55'05" W	7°25'37"	2.73'
C4	42.00'	7.21'	7.20'	N 00°17'14" W	9°50'04"	3.61'
C5	20.00'	25.94'	24.16'	N 01°05'58" E	74°18'35"	15.16'
C6	11.50'	18.06'	16.26'	N 83°15'15" E	90°00'00"	11.50'
C7	154.50'	168.12'	159.95'	S 75°00'41" E	62°20'50"	93.47'
C8	224.50'	60.72'	60.54'	N 66°04'00" E	15°29'49"	30.55'
C9	481.50'	149.03'	148.43'	N 67°11'06" E	17°44'01"	75.11'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 49°33'51" W	20.39'
L2	N 06°26'23" E	30.90'
L3	N 27°12'14" W	12.09'
L4	N 38°15'15" E	22.00'
L5	S 76°49'42" E	37.72'

AREA TOTALS

COMMON AREA DB 3532/185 = 3.449 AC.
 ADJUSTMENT TO COMMON AREA = - 0.063 AC.

NEW COMMON AREA = 3.386 ACRES

VACATED LOT 7 THROUGH LOT 11 = 0.563 AC.
 VACATED LOT 12 THROUGH LOT 19 = 0.836 AC.
 VACATED LOT 20 THROUGH LOT 26 = 0.665 AC.
 VACATED LOT 32 THROUGH LOT 36 = 0.525 AC.
 VACATED LOT 37 THROUGH LOT 38 = 0.173 AC.

TOTAL VACATED LOTS = 2.762 ACRES

TOTAL VACATED LOTS = 2.762 AC.
 ADJUSTMENT TO COMMON AREA = + 0.063 AC.

TOTAL NEW LOTS 12 THROUGH 26 = 2.825 ACRES

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SHEET 9 OF 9