

FIRST AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS AFFECTING  
ARRIES ON THE BAY, PHASE TWO, PART 'A'

THIS AMENDMENT made this 2nd day of MAY, 1984, by the undersigned, being the Declarant who is the owner of all of the property shown on the plat entitled "Arries on the Bay, Phase Two, Part 'A'", which said plat is duly recorded in the Clerk's Office of the Circuit Court of the City of Virginia Beach, Virginia in Map Book 176, at page 26, et seq.

WHEREAS, Article II, Section 1 provides that the declaration of covenants, conditions and restrictions of Arries on the Bay may be supplemented or modified and

NOW, THEREFORE, Article III, Section 2, A. of that certain Arries on the Bay Declaration of Covenants, Conditions and Restrictions dated April 16, 1984 and duly recorded in the Clerk's Office of the Circuit Court of the City of Virginia Beach, Virginia in Deed Book 2327, at page 21 is hereby amended to read as follows:

A. Townhouses Residential Use. All property in this classification shall be used, improved and devoted exclusively to townhouses. No gainful occupation, profession, trade or other non-residential use shall be conducted on any such property. Nothing herein shall be deemed to prevent the leasing of all such property to a single family from time to time by the owner thereof, subject to all of the provisions of the Declaration, provided, however, that no lease whether oral or written shall be for a period of less than thirty (30) days. No townhouse shall be used for the purpose of a summer weekly rental. No structure whatever, other than one private, townhouse, together with a private garage, if applicable, for not more than three (3) cars, shall be erected, placed or permitted to be erected on said premises.

IN WITNESS WHEREOF, Arries on the Bay, Inc. has caused these presents to be executed in its name and behalf by its president duly authorized, this 2nd day of MAY, 1984.

ARRIES ON THE BAY, INC.

By: [Signature]  
Donald L. Moore, President

BK 2330 P01732

STATE OF VIRGINIA, AT LARGE  
CITY OF VIRGINIA BEACH, to-wit:

I, Monica Thomas Connelly, a Notary Public in and for the City and State aforesaid, do certify that Donald L. Moore, President of Aeries on the Bay, Inc., whose name as such is signed to the foregoing writing, has acknowledged the same before me in my said City and State.

GIVEN under my hand this 2nd day of May, 1984.

Monica Thomas Connelly  
Notary Public

My term of office expires: 10-19-84

Witness my hand and the seal of my office this 2nd day of May, 1984, at Virginia Beach, Virginia.  
Monica Thomas Connelly  
Notary Public

REC

OFFICE OF THE  
CLERK OF THE  
COURT  
JULY 1984