

**AMENDMENT
TO
AMENDMENT TO THE DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS**

LAKE ANNA PLAZA

(Central Water and Sewer Treatment Facilities)

This AMENDMENT TO AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made this 11th day of OCTOBER, 2013 by LAKE ANNA PLAZA OWNERS ASSOCIATION, INC. (hereinafter the "Association").

WHEREAS, the Association submitted to record that certain Declaration of Covenants, Conditions and Restrictions dated October 19, 2000, duly recorded in the Clerk's Office of the Circuit Court of Louisa County, Virginia in Deed Book 657, at Page 554 (hereinafter "Declaration"); and

WHEREAS, the Association submitted to record that certain Amendment to Declaration of Covenants, Conditions and Restrictions dated September 18, 2004, duly recorded in the Clerk's Office of the Circuit Court of Louisa County, Virginia in Deed Book 1104, at Page 461 (hereinafter "2004 Amendment"); and

WHEREAS, pursuant to Article XIII, Section 3 of the Declaration, the Declaration may be amended during the first twenty (20) year period by written agreement of owners of lots to which seventy five percent (75%) of the votes in the Owner's Association appertain; and

WHEREAS, the 2004 Amendment provides that BBCR, a Virginia limited liability company ("BBCR"), will be responsible for the maintenance of the central water facility and the sewage treatment facility; and

WHEREAS, Lake Anna Environmental Services, Inc. has assumed ownership of the central water facility and the sewage treatment facility and has agreed to accept additional

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575 Lynnhaven Parkway, Suite 200
Virginia Beach, VA 23452



maintenance and repair responsibilities for the facilities and the Association desires to amend the 2004 Amendment to reflect this change in ownership and maintenance responsibilities; and

WHEREAS, this Amendment shall become effective as of the date of recordation of this Amendment in the Clerk's Office of the Circuit Court of Louisa County, Virginia pursuant to Section 55-515.1.F of the Virginia Property Owners' Association Act.

NOW THEREFORE, the 2004 Amendment is hereby amended as follows (changes are in bold type):

1. BBCR, a Virginia limited liability company ("BBCR") and/or BBCR shall be replaced with **Lake Anna Environmental Services, Inc. (LAES)** in each and every instance (see Exhibit A attached hereto).

2. Paragraph number 5 shall be deleted in its entirety and replaced with the following:

*5. The sewage treatment facility shall mean the sewage treatment plant as described in the Declaration with reference to the approved Preliminary Site Plan for Lake Anna Plaza, dated November 12, 1996, including such additional areas as may be used for the expansion thereof for the purpose of sewage treatment, **including** any system of pipes, pumps or other conduits by means of which any sewage or other waste is moved to the sewage treatment plant.*

3. Paragraph number 6 shall be deleted in its entirety and replaced with the following:

*6. The central water facility shall mean the dedicated well site or lot as described in the Declaration with reference to the approved Preliminary Site Plan for Lake Anna Plaza, dated November 12, 1996, and as shown on a certain plat entitled "Plat of a Well Lot Containing 0.453 Acre", made by James H. Bell, Jr., P.C., P.L.S., dated May 1, 1998, including such additional areas as may be used for the expansion thereof for the purpose of providing water, **including** any system of pipes, pumps or other conduits by means of which any water is provided to the users thereof, and*

4. The last sentence of the second paragraph on page 5 shall be deleted in its entirety and replaced with the following:

Such deletion shall also apply to the maintenance, repair or replacement of such system of pipes, pumps or other conduits by means of which any sewage or other waste is moved to the sewage treatment plant or for the maintenance, repair or replacement of such system of pipes, pumps or other conduits by means of which water is provided to the users thereof, provided, however, each Lot owner shall be responsible for the maintenance, repair and replacement of the water line from the structure to the Lot's water meter and for the waste water line that moves the waste from the structure to the Lot's main sewage disposal line at the front or rear of the Lot, as the case may be.

5. The following shall be added:

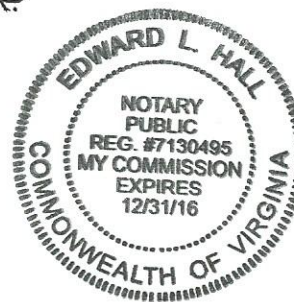
A non-exclusive easement for ingress and egress is hereby created over, through and across all portions of the Common Areas upon which the sewage treatment facility and the central water facility are located, including the system of pipes, pumps and conduits associated therewith, in favor of Lake Anna Environmental Services, Inc. (LAES), as the same may exist from time to time, for the purpose of maintaining, repairing or replacing such facilities.

All provisions of the 2004 Amendment not expressly amended herein shall be and remain in full force and effect.

EXECUTED on the date first written above by the duly authorized officer of the Association.

LAKE ANNA PLAZA OWNERS ASSOCIATION, INC.

By: William C Shaw
WILLIAM C. SHAW, JR.
PRESIDENT



COMMONWEALTH OF VIRGINIA,
CITY/COUNTY OF Fairfax, to-wit:

The foregoing instrument was acknowledged this 11th day of October, 2013, before me, the undersigned Notary Public, by WILLIAM C. SHAW, JR., President of Lake Anna Plaza Owners Association, Inc., who did state that the requisite percentage of the lot owners have agreed to the aforesaid amendment by executed writings which are on file with the Association's official records.

Edward L. Hall
Notary Public

My Commission Expires: 12/31/2016

Notary Registration No: 7130495

EXHIBIT A

Lake Anna Environmental Services, Inc

Lake Anna Plaza Owners Association

c/o Bill Shaw

8536 Oak Chase Circle

Fairfax Station, Va 22039

Gentlemen:

This letter is to confirm that Lake Anna Environmental Services, Inc (LAES) has accepted ownership and responsibility for the operation, upkeep, maintenance, replacement and repair of the Central Water System and the Sewage Treatment Facility that serves the Lake Anna Plaza development to include the system of pipes, pumps and conduits that move the water to and the waste from the individual homes. The owners' responsibility is for the water lines from the home to the home's water meter and for the waste water line that moves the waste from the home to the main sewage disposal line at the front or rear of the home depending on the location. LAPOA grants LAES a floating easement over the waste water and water lines.

Yours truly,

Brian Newman

LAES, Inc



INSTRUMENT #130007294
RECORDED IN THE CLERK'S OFFICE OF
LOUISA COUNTY ON
NOVEMBER 1, 2013 AT 11:41AM

SUSAN R. HOPKINS, CLERK
RECORDED BY: ELK



OFFICIAL RECEIPT
LOUISA COUNTY CIRCUIT
DEED RECEIPT

DATE: 11/01/13 TIME: 11:41:10 ACCOUNT: 109CLR130007294 RECEIPT: 13000014151
CASHIER: ELK REG: UL20 TYPE: AMEND PAYMENT: FULL PAYMENT
INSTRUMENT : 130007294 BOOK: 1342 PAGE: 902 RECORDED: 11/01/13 AT 11:41
GRANTOR: LAKE ANNA PLAZA OWNERS ASSOCIATION EX: N LOC: CO
GRANTEE: LAKE ANNA PLAZA OWNERS ASSOCIATION EX: N PCT: 100%
AND ADDRESS : 8536 OAK CHASE CIRCLE FAIRFAX, VA. 22039

RECEIVED OF : SHAW, BILL
CASH: \$21.00

DESCRIPTION 1: LOUISA CO AMENDMENT TO THE DECLARATION OF COV PAGES: 5 OP 0
2: ENANTS CONDITIONS AND RESTRICTIONS NAMES: 0

CONSIDERATION: .00 A/VAL: .00 MAP:
PIN:

301 DEEDS	14.50	145	VSLF	1.50
106 TECHNOLOGY TRST FND	5.00			

TENDERED :	21.00
AMOUNT PAID:	21.00
CHANGE AMT :	.00

CLERK OF COURT: SUSAN R. HOPKINS

FILE COPY
RECEIPT COPY 3 OF 3