

PLAT NOTES - PHASE VIII

FAIRFIELD COMMUNITIES, INC. HEREINAFTER REFERRED TO AS THE "DEVELOPER" IS THE OWNER OF REAL PROPERTY SHOWN AND DEPICTED UPON THIS PLAT, AND THE PLAT IS FILED OF RECORD SUBJECT TO THE FOLLOWING PROVISIONS:

ON THE 27TH DAY OF MARCH 1990, THE DEVELOPER RECORDED A DOCUMENT ENTITLED "PROJECT AND TIME-SHARE INSTRUMENT FOR FAIRFIELD WILLIAMSBURG AT KINGSGATE" (THE "INSTRUMENT"), IN DEED BOOK 578, PAGE 169 ET SEQ., IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF YORK COUNTY, VIRGINIA, BY WHICH THE DEVELOPER COMMITTED CERTAIN REAL PROPERTY DESCRIBED THEREIN TO A TIME-SHARE PROGRAM AND CREATED A TIME-SHARE PROJECT KNOWN AS "FAIRFIELD WILLIAMSBURG AT KINGSGATE," CONSISTING OF TIME-SHARE UNITS AND DEFINED IN THE INSTRUMENT. AMONG OTHER THINGS, THE DEVELOPER RESERVED UNTO ITSELF IN THE INSTRUMENT THE RIGHT TO COMMIT ADDITIONAL REAL PROPERTY TO THE TIME-SHARE PROJECT AND CREATE ADDITIONAL TIME-SHARE UNITS AND COMMON AREAS.

ON THE 25TH DAY OF APRIL, 1990, DEVELOPER RECORDED A DOCUMENT ENTITLED "FIRST AMENDMENT TO PROJECT AND TIME-SHARE INSTRUMENT FOR FAIRFIELD WILLIAMSBURG AT KINGSGATE" IN DEED BOOK 580, PAGE 795 IN THE YORK COUNTY CLERK'S OFFICE ("FIRST AMENDMENT"), BY WHICH THE DEVELOPER CLARIFIED CERTAIN PROVISIONS CONTAINED THEREIN.

ON THE 15TH DAY OF AUGUST, 1990, DEVELOPER RECORDED A DOCUMENT ENTITLED "SECOND AMENDMENT TO PROJECT AND TIME-SHARE INSTRUMENT FOR FAIRFIELD WILLIAMSBURG AT KINGSGATE" IN DEED BOOK 590, PAGE 704 IN THE YORK COUNTY CLERK'S OFFICE ("SECOND AMENDMENT"), BY WHICH THE DEVELOPER DESIGNATED ONE (1) UNIT WEEK FOR ANNUAL MAINTENANCE.

ON THE 25TH DAY OF SEPTEMBER, 1991, DEVELOPER RECORDED A DOCUMENT ENTITLED "FIRST SUPPLEMENTAL INSTRUMENT TO PROJECT AND TIME-SHARE INSTRUMENT FOR FAIRFIELD WILLIAMSBURG AT KINGSGATE" IN DEED BOOK 628, PAGE 75 ET SEQ., IN THE YORK COUNTY CLERK'S OFFICE ("FIRST SUPPLEMENTAL INSTRUMENT"), BY WHICH DEVELOPER COMMITTED THE REAL PROPERTY THEREIN AND DEPICTED ON THE PLAT ENTITLED "FAIRFIELD WILLIAMSBURG AT KINGSGATE TIME-SHARE PROJECT PHASE II," RECORDED IN PLAT BOOK 11, PAGE 347, IN THE YORK COUNTY CLERK'S OFFICE ON SEPTEMBER 25, 1991, CONSISTING OF TIME-SHARE UNITS AND COMMON AREAS AS DEFINED IN THE FIRST SUPPLEMENTAL INSTRUMENT.

ON THE 20TH DAY OF OCTOBER 1992, DEVELOPER RECORDED A DOCUMENT ENTITLED "SECOND SUPPLEMENTAL INSTRUMENT TO PROJECT AND TIME-SHARE INSTRUMENT FOR FAIRFIELD WILLIAMSBURG AT KINGSGATE" IN DEED BOOK 688, PAGE 321 ET SEQ., IN THE YORK COUNTY CLERK'S OFFICE ("SECOND SUPPLEMENTAL INSTRUMENT") BY WHICH DEVELOPER COMMITTED THE REAL PROPERTY THEREIN AND DEPICTED ON THE PLAT ENTITLED "FAIRFIELD WILLIAMSBURG AT KINGSGATE TIME-SHARE PROJECT PHASE III," RECORDED IN PLAT BOOK 11, PAGE 540, IN THE YORK COUNTY CLERK'S OFFICE ON OCTOBER 20, 1992, CONSISTING OF TIME-SHARE UNITS AND COMMON AREAS AS DEFINED IN THE SECOND SUPPLEMENTAL INSTRUMENT.

ON THE 10TH DAY OF JUNE 1993, DEVELOPER RECORDED A DOCUMENT ENTITLED "THIRD SUPPLEMENTAL INSTRUMENT TO PROJECT AND TIME-SHARE INSTRUMENT FOR FAIRFIELD WILLIAMSBURG AT KINGSGATE" IN DEED BOOK 726, PAGE 843 ET SEQ., IN THE YORK COUNTY CLERK'S OFFICE ("THIRD SUPPLEMENTAL INSTRUMENT") BY WHICH DEVELOPER COMMITTED THE REAL PROPERTY THEREIN AND DEPICTED ON THE PLAT ENTITLED "FAIRFIELD WILLIAMSBURG AT KINGSGATE TIME-SHARE PROJECT PHASE IV," RECORDED IN PLAT BOOK 11, PAGE 614, IN THE YORK COUNTY CLERK'S OFFICE ON JUNE 10, 1993, CONSISTING OF TIME-SHARE UNITS AND COMMON AREAS AS DEFINED IN THE THIRD SUPPLEMENTAL INSTRUMENT.

ON THE 3RD DAY OF AUGUST 1994, DEVELOPER RECORDED A DOCUMENT ENTITLED "FOURTH SUPPLEMENTAL INSTRUMENT TO PROJECT AND TIME-SHARE INSTRUMENT FOR FAIRFIELD WILLIAMSBURG AT KINGSGATE" IN DEED BOOK 808, PAGE 236 ET SEQ., IN THE YORK COUNTY CLERK'S OFFICE ("FOURTH SUPPLEMENTAL INSTRUMENT") BY WHICH DEVELOPER COMMITTED THE REAL PROPERTY THEREIN AND DEPICTED ON THE PLATS ENTITLED "FAIRFIELD WILLIAMSBURG AT KINGSGATE TIME-SHARE PROJECT PHASE V," RECORDED IN PLAT BOOK 12, PAGE 100, IN THE YORK COUNTY CLERK'S OFFICE ON AUGUST 3, 1994 AND "FAIRFIELD WILLIAMSBURG AT KINGSGATE TIME-SHARE PROJECT PHASE VI," RECORDED IN PLAT BOOK 12, PAGE 99, IN THE YORK COUNTY CLERK'S OFFICE ON AUGUST 3, 1994, CONSISTING OF TIME-SHARE UNITS AND COMMON AREAS AS DEFINED IN THE FOURTH SUPPLEMENTAL INSTRUMENT.

ON THE 14TH DAY OF DECEMBER 1995, DEVELOPER RECORDED A DOCUMENT ENTITLED "FIFTH SUPPLEMENTAL INSTRUMENT TO PROJECT AND TIME-SHARE INSTRUMENT FOR FAIRFIELD WILLIAMSBURG AT KINGSGATE" IN DEED BOOK 874, PAGE 718 ET SEQ., IN THE YORK COUNTY CLERK'S OFFICE ("FIFTH SUPPLEMENTAL INSTRUMENT") BY WHICH DEVELOPER COMMITTED THE REAL PROPERTY THEREIN AND DEPICTED ON THE PLAT ENTITLED "FAIRFIELD WILLIAMSBURG AT KINGSGATE TIME-SHARE PROJECT PHASE VII," RECORDED IN PLAT BOOK 12, PAGES 323-324, IN THE YORK COUNTY CLERK'S OFFICE ON DECEMBER 14, 1995, CONSISTING OF TIME-SHARE UNITS AND COMMON AREAS AS DEFINED IN THE FIFTH SUPPLEMENTAL INSTRUMENT.

ON THE 14th DAY OF November, 1997, CONCURRENT WITH THE RECORDATION OF THIS PLAT, THE DEVELOPER RECORDED A DOCUMENT ENTITLED "SIXTH SUPPLEMENTAL INSTRUMENT TO PROJECT AND TIME-SHARE INSTRUMENT FOR FAIRFIELD WILLIAMSBURG AT KINGSGATE" ("SIXTH SUPPLEMENTAL INSTRUMENT") IN DEED BOOK 978, PAGE 402, IN THE YORK COUNTY CLERK'S OFFICE WHICH SUBJECTED THE PROPERTY DEPICTED HEREIN TO THE COVENANTS, CONDITIONS AND RESTRICTIONS SET FORTH IN THE INSTRUMENT AND THE SIXTH SUPPLEMENTAL INSTRUMENT.

THE REAL PROPERTY DEPICTED HEREON CONSTITUTES PHASE VIII OF THE FAIRFIELD WILLIAMSBURG AT KINGSGATE TIME-SHARE PROJECT. THE REAL PROPERTY DEPICTED ON THIS PLAT AND CAPITALIZED TERMS UTILIZED HEREON ARE SUBJECT TO THE INSTRUMENT, UNLESS OTHERWISE PROVIDED. THE REAL PROPERTY DEPICTED ON THIS PLAT CONSISTS OF APPROXIMATELY 5.693 ACRES, UPON WHICH WILL BE CONSTRUCTED THE EIGHT (8) BUILDINGS, ALSO DEPICTED. ONE (1) BUILDINGS WILL CONTAIN NINE (9) TIME-SHARE UNITS AND FIVE (5) BUILDINGS WILL CONTAIN SIX (6) TIME-SHARE UNITS AND TWO (2) BUILDINGS WILL CONTAIN FOUR (4) TIME-SHARE UNITS FOR A TOTAL OF FORTY-SEVEN (47) TIME-SHARE UNITS IN PHASE VIII. ARTICLE IV OF THE INSTRUMENT RECORDED IN DEED BOOK 578, PAGE 169, DESCRIBES AND ESTABLISHES THE BOUNDARIES FOR THE TIME-SHARE UNITS.

COMMON ELEMENTS CONSIST OF ALL REAL PROPERTY DEPICTED ON THIS PLAT, EXCEPT FOR THE TIME-SHARE UNITS.

SUBJECT TO THE INSTRUMENT, THE DEVELOPER RESERVES THE RIGHT TO BRING ADDITIONAL PROPERTY WITHIN THE FAIRFIELD WILLIAMSBURG AT KINGSGATE TIME-SHARE PROJECT AND TO ELIMINATE UNIMPROVED REAL PROPERTY IN ANY PHASE FOR WHICH THE DEVELOPER CONTROL PERIOD CONTINUES.

THE REAL PROPERTY DEPICTED ON THIS PLAT IS SUBJECT TO THE COVENANTS, CONDITIONS, RESTRICTIONS, AND RESERVED RIGHTS OF THE DEVELOPER CONTAINED WITHIN THE INSTRUMENT, THE SIXTH SUPPLEMENTAL INSTRUMENT, ALL ZONING ORDINANCES NOW EXISTING OR HEREAFTER APPLICABLE TO THE PROJECT, EXISTING EASEMENT FOR INGRESS AND EGRESS, PEDESTRIAN AND VEHICULAR PURPOSES, AND EXISTING UTILITY SERVICES AND DRAINAGE EASEMENTS. PURSUANT TO THE TERMS OF THE INSTRUMENT, THE DEVELOPER RESERVES THE RIGHT TO GRANT ANY ADDITIONAL EASEMENTS THE DEVELOPER DEEMS NECESSARY FOR THE ESTABLISHMENT AND MAINTENANCE OF THE PROJECT AND THE BENEFIT OF TIME-SHARE OWNERS AND TO GRANT SUCH RIGHT TO THE FAIRFIELD KINGSGATE PROPERTY OWNERS ASSOCIATION, INC.

THE DEVELOPER RESERVES THE RIGHT TO ALTER OR MODIFY THE INTERIOR DESIGN AND ARRANGEMENT OF TIME-SHARE UNITS. DEVELOPER RESERVES THE RIGHT, FOR TIME-SHARE UNITS FOR WHICH IT IS RECORD OWNER AND FROM WHICH NO TIME-SHARE ESTATES HAVE BEEN SOLD, TO REPLAT SUCH UNIT(S) AND COMBINE TWO OR MORE UNITS INTO A SINGLE UNIT. ANY ALTERATION, MODIFICATION OR CHANGE SHALL BE ACCOMPLISHED THROUGH THE RECORDATION OF A SUPPLEMENTAL INSTRUMENT TO THE INSTRUMENT. DEVELOPER RESERVES THE RIGHT TO FILE A REPLAT TO CORRECT ANY SURVEY OR OTHER ERROR DEPICTED ON THE PLAT.

THE STREETS HEREON ARE PRIVATE AND SHALL BE MAINTAINED BY THE DEVELOPER DURING THE DEVELOPER CONTROL PERIOD FOR PHASE VIII AND THEREAFTER BY THE FAIRFIELD KINGSGATE PROPERTY OWNERS ASSOCIATION, INC. THE DRIVEWAYS AND PARKING AREAS LOCATED WITHIN PHASE EIGHT OF THE PROJECT ARE COMMON ELEMENTS AND SHALL BE MAINTAINED BY THE DEVELOPER DURING THE DEVELOPER CONTROL PERIOD FOR PHASE VIII AND THEREAFTER BY THE FAIRFIELD KINGSGATE PROPERTY OWNERS ASSOCIATION, INC.

NOTES:

1. ALL UTILITY SERVICES ARE UNDERGROUND THROUGHOUT THIS PROJECT.
2. THIS IS A COMPOSITE PLAT, IT DOES NOT REPRESENT A FIELD SURVEY.
3. BUILDINGS SHOWN AND DIMENSIONS TO BUILDINGS ARE FOR PROPOSED STRUCTURES.
4. ANY IMPROVEMENTS TO PROPERTY ARE SUBJECT TO COUNTY AND STATE CODE AND SHALL BE SUBJECT TO EASEMENTS, SERVITUDES AND COVENANTS OF RECORD.

YORK COUNTY
 APPROVED FOR RECORDATION
 BY: John T. Hoover, PE
 TITLE: Director, Env. & Devel. Svcs.
 DATE: Nov. 10, 1997



PLAT SHOWING
FAIRFIELD WILLIAMSBURG
 @ KINGSGATE
 SECTION 4
 PHASE VIII

BRUTON DISTRICT, YORK COUNTY, VA.

SCALE : 1" = 50' DATE : 10-28-1997

Dewberry & Davis

Architects Engineers Planners Surveyors
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Richmond, Va 23219 ☎ 804 643-8061, Fax 804 643-8063

DRAFTED BY : RH CHECKED BY : MH

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Filed in the Clerk's Office, Circuit Court, York Co., Va.
the 14th day of November 19 97

Teste:
Nancy B. Kane, Clerk
Carol P. [Signature] D.C.