

PLAT NOTES : AMENDMENT TO RE-PLAT OF PHASE VII

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 AS 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 14TH DAY OF DECEMBER, 1995, DEVELOPER RECORDED A DOCUMENT ENTITLED "FIFTH SUPPLEMENTAL INSTRUMENT TO PROJECT AND TIME SHARE INSTRUMENT FOR FAIRFIELD WILLIAMSBURG AT KINGSGATE" ("FIFTH SUPPLEMENTAL INSTRUMENT") IN DEED BOOK 874, PAGE 718 ET SEQ. IN THE YORK COUNTY CLERK'S OFFICE BY WHICH DEVELOPER COMMITTED THE REAL PROPERTY DESCRIBED THEREIN AND DEPICTED ON THE PLAT ENTITLED "PLAT SHOWING FAIRFIELD WILLIAMSBURG AT KINGSGATE SECTION 4, PHASE VII" ("PHASE VII PLAT") RECORDED IN PLAT BOOK 12, PAGES 323-324, IN THE YORK COUNTY CLERK'S OFFICE ON DECEMBER 14, 1995, TO THE TIME-SHARE PROJECT CONSISTING OF TIME SHARE UNITS AND COMMON AREAS AS DEFINED IN THE FIFTH SUPPLEMENTAL INSTRUMENT.

ON THE 20TH DAY OF MARCH, 1997 THE DEVELOPER RECORDED A DOCUMENT ENTITLED "SECOND AMENDMENT TO FIFTH SUPPLEMENTAL INSTRUMENT TO PROJECT AND TIME SHARE INSTRUMENT FOR FAIRFIELD WILLIAMSBURG AT KINGSGATE" ("SECOND AMENDMENT TO FIFTH SUPPLEMENTAL") IN DEED BOOK 939, PAGE 536 ET SEQ. AND A PLAT ENTITLED "RE-PLAT OF FAIRFIELD WILLIAMSBURG AT KINGSGATE SECTION 4, PHASE VII" ("RE-PLAT OF PHASE VII") IN PLAT BOOK 12, PAGES 458-459, BOTH IN THE YORK COUNTY CLERK'S OFFICE BY WHICH THE DEVELOPER AMENDED THE FIFTH SUPPLEMENTAL INSTRUMENT AND THE PHASE VII PLAT IN ORDER TO REVISE THE NUMBER OF UNITS AND TYPES OF UNITS IN PHASE VII.

ON THE DAY OF , 1997, THE DEVELOPER RECORDED A DOCUMENT ENTITLED "THIRD AMENDMENT TO FIFTH SUPPLEMENTAL INSTRUMENT TO PROJECT AND TIME-SHARE INSTRUMENT FOR FAIRFIELD WILLIAMSBURG AT KINGSGATE" (THIRD AMENDMENT TO FIFTH SUPPLEMENTAL INSTRUMENT") IN DEED BOOK PAGE ET SEQ., IN THE YORK COUNTY CLERK'S OFFICE BY WHICH DEVELOPER, PURSUANT TO DEVELOPER'S RESERVED RIGHTS, AMENDS THE FIFTH SUPPLEMENTAL INSTRUMENT AND THE RE-PLAT OF PHASE VII IN ORDER TO REVISE THE NUMBER OF UNITS IN BUILDING 31.

THIS AMENDMENT TO RE-PLAT IS INTENDED TO AMEND THAT CERTAIN PHASE VII RE-PLAT REFERENCED ABOVE TO THE EXTENT NECESSARY TO REVISE THE NUMBER OF UNITS, UNIT TYPES AND FLOOR PLANS IN BUILDING 31. THIS RE-PLAT OF PHASE VII REFLECTS A DIFFERENT UNIT TYPE AND FLOOR PLAN FROM THAT DEPICTED ON THE RE-PLAT REFERENCED ABOVE AND INCREASES THE NUMBER OF UNITS IN THE ENTIRE PHASE VII FROM 69 UNITS TO 72 UNITS. BUILDINGS 31 SHALL HAVE 9 UNITS. BUILDINGS 30, 32, 33, 34, 35, 36 AND 38 SHALL REMAIN THE SAME AS DEPICTED ON THE RE-PLAT OF PHASE VII.

THE REAL PROPERTY DEPICTED HEREON CONSTITUTES THE AMENDMENT TO RE-PLAT OF PHASE VII OF THE FAIRFIELD WILLIAMSBURG AT KINGSGATE TIME-SHARE PROJECT. THE REAL PROPERTY DEPICTED ON THIS AMENDMENT TO RE-PLAT, RE-PLAT OF PHASE VII AND THE PHASE VII PLAT AND CAPITALIZED TERMS UTILIZED HEREON ARE SUBJECT TO THE INSTRUMENT AND THE FIFTH SUPPLEMENTAL INSTRUMENT, UNLESS OTHERWISE PROVIDED. THE REAL PROPERTY DEPICTED ON THIS REPLAT CONSISTS OF APPROXIMATELY 7.87849 ACRES, UPON WHICH WILL BE CONSTRUCTED NINE (9) BUILDINGS. THREE (3) BUILDINGS WILL CONTAIN SIX (6) TIME-SHARE UNITS AND SIX (6) BUILDINGS WILL CONTAIN NINE (9) TIME-SHARE UNITS FOR A TOTAL OF SEVENTY-TWO (72) TIME-SHARE UNITS IN PHASE VII. ARTICLE IV OF THE INSTRUMENT RECORDED IN DEED BOOK 578, PAGE 169 ET SEQ., 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 FIFTH SUPPLEMENTAL AND AMENDMENTS THERETO, 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 SEVEN AND THEREAFTER BY THE FAIRFIELD KINGSGATE PROPERTY OWNERS ASSOCIATION, INC. THE DRIVEWAYS AND PARKING AREAS LOCATED WITHIN PHASE SEVEN OF THE PROJECT ARE COMMON ELEMENTS AND SHALL BE MAINTAINED BY THE DEVELOPER DURING THE DEVELOPER CONTROL PERIOD FOR PHASE SEVEN 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.

Filed in the Clerk's Office, Circuit Court, York Co., Va. the 14th day of Sept. 1998

Teste: Nancy B. Karp, Clerk
[Signature] D.C.

YORK COUNTY APPROVED FOR RECORDATION BY: *[Signature]* PE TITLE: Director, Env. & Devel. Sys. DATE: Sept. 9, 1998

AMENDMENT TO RE-PLAT OF FAIRFIELD WILLIAMSBURG © KINGSGATE SECTION 4 PHASE VII

BRUTON DISTRICT, YORK COUNTY, VA.

SCALE : 1" = 50'

DATE : 8-21-1995 REV: 3-13-1997 REV: 8-24-1998

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