

AMENDMENT TO CONDOMINIUM DECLARATION FOR MCVITTY FOREST CONDOMINIUM
UNIT OWNERS' ASSOCIATION REASSIGNING LIMITED COMMON ELEMENTS:
PARKING SPACES AND/OR STORAGE AREAS.

THIS AMENDMENT is made as of this 16 day of January, 2010 by the MCVITTY FOREST CONDOMINIUM UNIT OWNERS' ASSOCIATION ("Association"),
La Verne Budd and Phillip Delpierre, current owners of Unit 211 in the Oak Building, Grantors, and Barbara F. Delpierre, current owners of Unit 315 in the Oak Building, Grantees. The purpose of this Amendment is to reassign Parking Space number in the Building from Unit in the Building to Unit in the Building and/or to reassign Storage Area number 13 in the Oak Building from Unit 211 in the Oak Building to Unit 315 in the Oak Building.

WITNESSETH:

WHEREAS, Radford & Company, Declarant, executed a Declaration and Bylaws establishing the McVitty Forest Condominium in Roanoke County, Virginia, which were recorded on July 28, 1998, in Deed Book 1586, Page 1917, among the land records of Roanoke County, Virginia;

WHEREAS, the Declaration, as subsequently amended, assigned certain numbered Limited Common Element parking spaces and storage areas for the exclusive use of designated Units;

WHEREAS, a limited Common Element may be reassigned upon written application of the Unit Owners concerned pursuant to Section 55-79.57B of the Code of Virginia, which is part of the Condominium Act;

WHEREAS, the Amendment to the Condominium Instruments recorded in Deed Book , Page , on June 3, 2009 assigned the Limited Common Element Parking Spaces and Storage Areas to designated Units in Exhibit A;

WHEREAS, the Unit Owners concerned have requested a reassignment of Limited Common Element Parking Spaces and/or Storage Areas in accordance with Section 55-79.57B of the Condominium Act and the procedures of the Association;

NOW, THEREFORE, for and in consideration of the premises and foregoing facts, the Association, at the request of the undersigned Unit Owners, does hereby amend the Declaration as follows:

1. Limited Common Element Parking Space number in the Building is hereby reassigned from Condominium Unit in the Building owned by , to which Unit the Parking Space is currently assigned to Condominium Unit in the Building owned by , together with all rights and obligations with respect to such Limited Common Element Parking Space, all pursuant to Section 55-79.57B of the Condominium Act.
2. Limited Common Element Storage Area number 13 in the Oak Building is hereby reassigned from Condominium Unit 211 in the Oak Building owned by La Verne Budd, to which Unit the Storage Area is currently assigned to Condominium Unit 315 in the Oak Building owned by Phillip Delpierre, together with all rights and obligations with respect to such Limited Common Element Storage Area, all pursuant to Section 55-79.57B of the Condominium Act.
3. The reassignment and confirmation of this and prior assignments are specified in EXHIBIT A which is attached hereto.

4. Except as modified or noted by this Amendment, all terms and provisions of the Condominium Instruments are expressly ratified and confirmed and shall remain in full force and effect.

IN WITNESS WHEREOF, the President of the McVitty Forest Condominium Unit Owners' Association has signed this Amendment, pursuant to due and proper authority, and the concerned Unit Owners have signed, as of the date first written above.

By: [Signature]
President McVitty Forest Condominium Owners' Association

By: La Verne Budd
Owner of Unit 211 in the OAK Building
(Address) 3040 McVitty Forest Drive
Transferring assignment of Limited Common Element
(Parking Space/Storage Area) number 13 in the OAK Building.

By: [Signature]
Owner of Unit 315 in the OAK Building
(Address) 3040 McVitty Forest DR.
Accepting assignment of Limited Common Element
(Parking Space/Storage Area) number 13 in the OAK Building.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Roanoke, to-wit

Subscribed and sworn to before me on this 16th day of Jan 2010, by
Delphine Phillip, and La Verne Budd,
and _____, in testimony whereof I have hereto set my hand
on the day, month and year aforesaid.

[Signature], Notary Public

My Notary Registration #: 7033761
My Commission Expires: Oct 31 2010.

