

FIRST AMENDMENT TO DECLARATION
THE CROSSING CONDOMINIUM

FILED

AUG 17 1995
JOHN T. [unclear]
Clerk of the Circuit Court
of Fairfax County, VA

THIS AMENDMENT to Condominium Instruments is made on the 17th day of August, 1995, by PULTE HOME CORPORATION, a Michigan Corporation (the "Declarant").

WITNESSETH:

WHEREAS, by Condominium Instrument dated the 12th day of July, 1995 and recorded in Deed Book 9455, at Page 1614, among the land records of Fairfax County, Virginia (the "Condominium Instruments"), there was established and created an expandable Condominium known as THE CROSSING CONDOMINIUM (the "Condominium"); and

WHEREAS, by Section B of the Public Offering Statement and Article X of the Declaration of Condominium, Declarant reserved unto itself the right and power to submit Additional Lands to the provisions of the Condominium Instruments affecting all or part of the Condominium Instruments; and

WHEREAS, Declarant is the sole owner and proprietor of the 27,987 square foot tract as shown on the plat showing Submitted Land (Phase 2), Additional Land and Easements, THE CROSSING CONDOMINIUM, prepared by Dewberry & Davis, which plat is attached hereto as Exhibit "C".

NOW, THEREFORE, the Declarant hereby publishes and declares that it hereby submits to the provisions of the Condominium Instruments of THE CROSSING CONDOMINIUM, as established by Chapter 4.2, Title 55, Code of Virginia (1950), all of that certain tract or parcel of land located, lying and being in the City of Fairfax, Virginia, and being more particularly described on Exhibit "A" attached hereto and incorporated herein by reference.

The land described on Exhibit "A" shall henceforth be known as "THE CROSSING CONDOMINIUM, Phase 2", and is hereby merged with the Condominium created by the Condominium Instruments recorded in Deed Book 9455, at Page 1614, to the end that the land and improvements thereon are held and shall be held, conveyed and improved subject to the covenants, conditions, restrictions, uses, limitations and obligations contained in the Condominium Instruments, subject,

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however, to the modifications hereinafter set forth, all of which are declared to be in furtherance of a plan for the improvement of the property and the division thereof into Units, as defined in the Condominium Instruments. The Condominium Instruments, shall be a burden and benefit to the Declarant, its successors and assigns, and any person acquiring an interest in any Unit, the property and the improvements, and to their grantees, successors, heirs, executors, administrators, devisees and assigns.

The Condominium Instruments and any amendments thereto are to be read together and in all respects not herein specifically modified or changed or given limited application. The provisions of the Condominium Instruments shall apply equally to the property therein described and the property described herein. Those limitations, modifications and changes are as follows:

I. Description of Units. THE CROSSING CONDOMINIUM, Phase 2, consisting of 27,987 square feet, more or less, is improved by sixteen (16) Units, as that term is described in the Condominium Act, with addresses as shown in the attached Exhibit "B". ~~Each of these Units is hereby designated as follows: the following Unit Types: Avalon, Buckingham, Eston, Canterbury and Devonshire according to~~ the Plans Showing Typical Floor Plans of the Submitted Land (Phase 2), Additional Land and Easements, THE CROSSING CONDOMINIUM, prepared by Dewberry & Davis, which is attached hereto and incorporated herein by reference as Exhibit "D".

Each Unit shall have as an appurtenance thereto a proportionate undivided interest in the Common Elements, as defined in the Condominium Act, which appurtenance shall be deemed to be conveyed or encumbered or to otherwise pass with the conveyance or other instrument describing the Unit.

Phase 2 Unit types are described as follows:

A. Type "Avalon" Units are two-story, two-bedroom Units containing approximately one thousand one hundred sixty-two (1,162) square feet of space for exterior units, and approximately one thousand one hundred fifty-three (1,153) square feet of space for interior units.

B. Type "Buckingham" Units are two-story, two-bedroom Units containing approximately one thousand two hundred ninety-four (1,294) square feet of space.

C. Type "Canterbury" Units are two-story, two-bedroom Units containing approximately one thousand one hundred forty-two (1,142) square feet of space.

D. Type "Devonshire" Units are two-story, two-bedroom Units containing approximately one thousand two hundred forty-five (1,245) square feet of space.

E. Type "Easton" Units are one-story, one bedroom plus a library Units containing approximately one thousand one hundred twenty-four (1,124) square feet of space.

The boundaries of each Unit are defined in the Declaration previously recorded.

II. INTEREST IN LIMITED AND GENERAL COMMON ELEMENTS.

A. Limited Common Elements: Ownership of a Unit shall entitle the Owner thereof to the exclusive use and enjoyment of Limited Common Elements appurtenant thereto, as shown on Exhibit "D" as "Limited Common Area".

B. In accordance with Article VI of the Declaration of THE CROSSING CONDOMINIUM, the undivided interest in the Common Elements for the entire Condominium, as expanded, which are appurtenant to ownership of each Unit of the Condominium is hereby altered to provide the equal interest shown in the attached Exhibit "B".

III. UNIT OWNERS ASSOCIATION OF THE CROSSING CONDOMINIUM.

The submission of THE CROSSING CONDOMINIUM, Phase 2, is subject to the provisions of the Condominium Instruments and shall have no effect on the presently-existing Unit Owners Association of THE CROSSING CONDOMINIUM or the Board of Directors thereof, except that the Unit Owners of the Units contained herein shall immediately become and be members of the Unit Owners Association, entitled to attend and vote at any meeting thereof hereafter held.

IV. AMENDMENTS AND OPTIONS TO SUBMIT ADDITIONAL LAND.

Nothing contained herein shall be deemed to exhaust the right reserved by Declarant in Article X of the Declaration of THE CROSSING CONDOMINIUM, to submit and include as part of the Condominium any or all portion(s) of the Additional Lands as shown on Exhibit "C" attached hereto and as described by metes and bounds on Exhibit "A-1" attached hereto and incorporated herein by reference.

V. This Amendment shall take effect upon recordation.

[SIGNATURE PAGE FOLLOWS]

PULTE HOME CORPORATION
a Michigan corporation

By [Signature]
Attorney-in-Fact

COMMONWEALTH OF VIRGINIA,
COUNTY OF FAIRFAX, to-wit:

I, the undersigned Notary Public in and for the Commonwealth of Virginia at Large, do hereby certify that Don Wiltshire, who is personally well known to me to be the person named as Attorney-in-Fact of Pulte Home Corporation in the foregoing Amendment to Declaration bearing date on the 16th day of August, 1995, personally appeared before me in my jurisdiction aforesaid and acknowledged the same to be the act and deed of Pulte Home Corporation, a Michigan corporation, the Declarant herein, and that he delivered the same as such.

GIVEN under my hand and seal this 4th day of August, 1995.

[Signature]
NOTARY PUBLIC

My Commission expires: 6/30/97

c:\wp51\kathy\pulte\crossing\amend 1 (12/02/94; 4/10/95; 8/14/95)

FIRST AMENDMENT TO THE DECLARATION OF THE CROSSING CONDOMINIUM

EXHIBIT B

PERCENTAGE INTEREST IN COMMON AREA

<u>UNIT NO.</u>	<u>PERCENTAGE OF COMMON ELEMENTS INTEREST</u>
PHASE 1:	
10349-301 Sager Avenue	1/32
10349-302 Sager Avenue	1/32
10351 Sager Avenue	1/32
10353 Sager Avenue	1/32
10355 Sager Avenue	1/32
10357 Sager Avenue	1/32
10359-301 Sager Avenue	1/32
10359-302 Sager Avenue	1/32
10359-303 Sager Avenue	1/32
10359-304 Sager Avenue	1/32
10361 Sager Avenue	1/32
10363 Sager Avenue	1/32
10365 Sager Avenue	1/32
10367 Sager Avenue	1/32
10369-301 Sager Avenue	1/32
10369-302 Sager Avenue	1/32
PHASE 2:	
4101 Lexington Court	1/32
4103 Lexington Court	1/32
4105-101 Lexington Court	1/32
4105-102 Lexington Court	1/32
4105-301 Lexington Court	1/32
4105-302 Lexington Court	1/32
4105-303 Lexington Court	1/32
4105-304 Lexington Court	1/32
4107 Lexington Court	1/32
4109 Lexington Court	1/32
4111 Lexington Court	1/32
4113 Lexington Court	1/32
4115-101 Lexington Court	1/32
4115-102 Lexington Court	1/32
4115-301 Lexington Court	1/32
4115-302 Lexington Court	1/32