

FILED

NOV 13 1995

JOHN T. FREY
Clerk of the Circuit Court
of Fairfax County, VA.

THIRD AMENDMENT TO DECLARATION
THE CROSSING CONDOMINIUM

THIS AMENDMENT to Condominium Instruments is made this 3rd day of November, 1995, by PULTE HOME CORPORATION, a Michigan corporation (the "Declarant").

WITNESSETH:

WHEREAS, by Condominium Instruments dated the 12th day of July, 1995 and recorded in Deed Book 9488, at Page 1614, among the land records of Fairfax County, Virginia (the "Condominium Instruments"), there was established and created an expendable Condominium known as THE CROSSING CONDOMINIUM (the "Condominium"); and

WHEREAS, the Condominium Instruments have been amended by the First Amendment to Declaration, The Crossing Condominium, recorded in Deed Book 9482 at page 1718, as corrected in Deed Book 9533 at Page 233, and Second Amendment to Declaration, recorded in Deed Book 9509 at Page 638, as corrected in Deed Book 9533 at Page 241; and

WHEREAS, by Section B of the Public Offering Statement and Article X of the Declaration of The 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 13,158 square foot tract as shown on the plat showing Submitted Land (Phase 4), 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.

AIGHT, TRAMORTE, SICILIANO & FLASK
8221 Old Courthouse Bldg.
Manassas, Virginia 22107-3638

The land described on Exhibit "A" shall henceforth be known as "THE CROSSING CONDOMINIUM, Phase 4", and is hereby merged with the Condominium created by the Condominium Instruments recorded in Deed Book 9455, at Page 1614, as amended in Deed Book 9482 at page 1718, corrected in Deed Book 9533 at Page 233, and amended in Deed Book 9509 at Page 635, corrected in Deed Book 9533 at Page 241, 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, 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 4, consisting of 13,155 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 one of the following Unit Types: Avalon, Buckingham, Canterbury and Devonshire according to the Plans Showing Typical Floor Plans of the Submitted Land (Phase 4), Additional Land and Easements, THE CROSSING CONDOMINIUM, prepared by Dawberry & 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 4 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.

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 4, 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 Stanley K. Schick, Jr. 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 31st day of November, 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 s/he delivered the same as such.

GIVEN under my hand and seal this 31st day of November, 1995.

[Signature]
NOTARY PUBLIC

My Commission expires: 6/30/97

c:\wp51\kathy\pulte\amendment.3 (10/12/95:11/1/95)

PHASE 4:

10327-301 Sager Avenue	1/90
10327-302 Sager Avenue	1/90
10329 Sager Avenue	1/90
10331 Sager Avenue	1/90
10333 Sager Avenue	1/90
10335 Sager Avenue	1/90
10337-301 Sager Avenue	1/90
10337-302 Sager Avenue	1/90
10337-303 Sager Avenue	1/90
10337-304 Sager Avenue	1/90
10339 Sager Avenue	1/90
10341 Sager Avenue	1/90
10343 Sager Avenue	1/90
10345 Sager Avenue	1/90
10347-301 Sager Avenue	1/90
10347-302 Sager Avenue	1/90

PHASE 5:

4101 Oxford Lane	1/90
4103 Oxford Lane	1/90
4105-101 Oxford Lane	1/90
4105-102 Oxford Lane	1/90
4105-301 Oxford Lane	1/90
4105-302 Oxford Lane	1/90
4105-303 Oxford Lane	1/90
4105-304 Oxford Lane	1/90
4107 Oxford Lane	1/90
4109 Oxford Lane	1/90
4111 Oxford Lane	1/90
4113 Oxford Lane	1/90
4115-101 Oxford Lane	1/90
4115-301 Oxford Lane	1/90
4115-302 Oxford Lane	1/90

PHASE 6:

4100-301 Vanderbilt Court	1/90
4100-302 Vanderbilt Court	1/90
4102 Vanderbilt Court	1/90
4104 Vanderbilt Court	1/90
4106 Vanderbilt Court	1/90
4108 Vanderbilt Court	1/90
4110-301 Vanderbilt Court	1/90
4110-302 Vanderbilt Court	1/90
4110-303 Vanderbilt Court	1/90
4110-304 Vanderbilt Court	1/90
4112 Vanderbilt Court	1/90
4114 Vanderbilt Court	1/90
4116 Vanderbilt Court	1/90
4118 Vanderbilt Court	1/90
4120-301 Vanderbilt Court	1/90
4120-302 Vanderbilt Court	1/90