

2/28/94

Delivered - W. Harland Clarke, atty

BOOK 354 PAGE 694

SECOND SUPPLEMENTAL DECLARATION

ARCHITECTURAL & SITE DEVELOPMENT STANDARDS

CROSS CONNECTION CONTROL PROGRAM

for
Lots at The Tides Golf Lodge, Inc.
including
"Lot D-1"
and Other Residential Lots
that may be identified in the future
at

THE TIDES LODGE

IRVINGTON, VIRGINIA

This Second Supplemental Declaration made this 1st day of February, 1994, amends the Supplemental Declaration dated February 1, 1991, recorded in Deed Book 314 at Page 685, et seq. as follows:

1. The introductory page of the Supplemental Declaration, which is recorded in Deed Book 314 at Page 686.
2. Waste Water Treatment, which is on Page 3 of the Supplemental Declaration, of record in Deed Book 314 at Page 689.
3. Protective Covenants, Paragraph 1, which is on Page 5 of the Supplemental Declaration, of record in Deed Book 314 at Page 691.

THE TIDES LODGE
Irvington, Virginia

Lot D-1, at The Tides Golf Lodge, Inc. (also known and referred to from time to time as The Tides Lodge) and others that may be identified in the future, are covered by this Declaration. This Development is by The Tides Golf Lodge, Inc., P. O. Box 309, Irvington, Virginia 22480, whose Principal and President is E. A. Stephens, Jr. of the same address. The Lodge's corporation has been active as a resort operation in Virginia since 1969 and in business since before 1946.

Occupancy of any homes must await approval of the Health Department. There are no known suits pending nor are there any unpaid judgments against The Tides Lodge concerning this property. Lot Owners are entitled to Resort Privileges at The Tides Lodge by making application and paying the appropriate daily fees and/or initiation fees and/or annual dues for such privileges, but are not required to apply for these privileges. As there is no association involved in these Other Residential Lots at The Tides Lodge, there is no budget nor assessments for any such operation.

Certain rights, obligations and rules are delineated in the Declaration, Architectural & Site Standards, Cross Connection Control Program, and are part of this packet of information for purchasers.

WASTE WATER TREATMENT

The Tides Golf Lodge, Inc., and successors or assigns, may provide sewerage treatment for each lot through its licensed treatment plant if Health Department approved septic drainfields are not provided for, which would be the treatment of choice. If connected to the system, each owner shall pay The Developer a connection fee of \$1,500 per lot at the time the physical connection is made to the treatment pipeline and agrees to use the type and model of the pump which has been set as a standard for each lot in order to facilitate repairs and/or replacement, if necessary. The Owner shall pay, quarterly, a fee equal to the quarterly water bill, or equal to an average metered residence in Irvington, if not connected to a public water system. If an owner of two, or more, lots has only one residence on these lots, he/she will pay The Lodge for each lot. This fee will change as the water bill changes. If the State Water Control Board, Virginia Department of Health or any other governmental agency shall require changes to the treatment plant with a cost in excess of \$10,000, each sold lot will be assessed a prorated cost as determined by the total cost (in excess of \$10,000) divided by the total number of private residential connections to the system wherever located, including, but not limited to, The Green, other lots at The Lodge, and The Highlands. The Owner assumes all responsibility for the operation and maintenance of any personal or common pumping station(s) and all piping to the discharge point at The Tides Golf Lodge, Inc.'s treatment plant and agrees that The Tides Lodge has access to the pumping stations and pipelines for maintenance, if necessary, without advance notice. An Operational and Maintenance Agreement, to be maintained by written contract, must be approved by the Health Department and/or the State Water Control Board prior to the operation of any pump station. The design and connection of each station and main will be in accordance with the requirements of the Department of Health including an approved alarm system and emergency pump connection.

PROTECTIVE COVENANTS

1. Each lot shall be for residential purposes only and shall be limited to one single family residence and other such outbuildings as are normally associated therewith. Commercial and business activities shall not be permitted on any lot without specific permission of the Developer and, in no case will a commercial use be allowed that is not in compliance with Lancaster County's ordinances or that creates what is deemed, by the developer solely, to be unreasonable vehicular traffic. A guest suite or like facility may not be rented except to immediate family (defined as grandparents, parents, children, brothers or sisters -real or step) or as part of the entire premises including the main dwelling which may be rented only as a single family dwelling. Accessory buildings may not be rented except as part of the entire premises including the main dwelling. Accessory buildings may not be constructed prior to the construction of the main residence without permission of the developer. All structures on any individual lot shall be constructed to generally conform in appearance.

Date: February 1, 1994.

The Tides Golf Lodge, Inc.

By [Signature]
President

STATE OF VIRGINIA,
COUNTY OF LANCASTER, to-wit:

The foregoing instrument was acknowledged before me this 1st day of February, 1994, by E. A. Stephens, Jr., President of The Tides Golf Lodge, INC.

My commission expires August 31, 1997.

[Signature]
Notary Public

VIRGINIA, to-wit:

In the Clerk's Office of the Circuit Court of Lancaster County, the 28 day of Feb., 1994, the foregoing writing was presented and with certificate on next, admitted to record at 11:05 o'clock A.M.

Teste:
[Signature] Dep. Clerk