

Exemption claimed: City of Roanoke, Virginia, is exempted from recordation and Grantor's taxes and fees pursuant to §§58.1-811A(3), (C)(4), Code of Virginia.

Prepared by the Office of City Attorney

Official Tax Nos. 7210106, 7210101, 7210107, 7280101, 7240104, 7240101, 7240103, 7280104, 7280102, 7150109, 7210105, 7240102, 7320102, 7320103, 7160102, 7210103, and 7200106

Grantor: City of Roanoke, Virginia
Grantee: City of Roanoke, Virginia

Amendment No. One to the Deeds of Restriction
for the Roanoke Centre for Industry and Technology

This Amendment No. One to the Deeds of Restriction, dated December 5, 1983, made and entered into this 15th day of February, 2012, by the City of Roanoke, Virginia, a municipal corporation organized and existing under the laws of the Commonwealth of Virginia (the "City") (Grantor and Grantee),

WITNESSETH:

WHEREAS, the City previously acquired certain parcels of property, collectively known as the Roanoke Centre for Industry and Technology ("RCIT"), as described by instruments on record in the Clerk's Office of the Circuit Court for the City of Roanoke in Deed Book 1493, Page 833, and in Plat Book 1, Pages 338, 339, 340 and 341;

WHEREAS, such land was subsequently divided into smaller tracts of land, some of which were then sold or leased to various businesses by the City;

WHEREAS, by Deeds of Restriction dated December 5, 1983, (collectively the "Restrictive Covenants"), recorded in the Office of the Clerk of the Circuit Court of the City of Roanoke, Virginia, in Deed Book 1495, Page 1797, prior to sale or lease to subsequent purchasers thereto, the City imposed the Restrictive Covenants on the tracts of the land which constitute RCIT;

WHEREAS, Section 6(e) of the Restrictive Covenants provides that to provide for adequate space for off-street parking, buildings, structures and parking areas shall not cover more than sixty percent (60%) of the site or lot;

WHEREAS, Section 13 of the Restrictive Covenants further provides that such Covenants may be waived, released, rescinded, modified, altered or amended by the City at the request of and with the consent of the owners or lessees from the City of property for terms of five or more years, of more than fifty percent, in area, of the lots or sites within RCIT that have been sold or leased by the City for development;

WHEREAS, as of the date of this Amendment No. One, the total acreage of property that has been sold by the City for development at RCIT, or that is being leased from the City with lease terms of five or more years, is approximately 221.7167 acres;

WHEREAS, more than fifty percent in area, of the owners of property, and/or lessees leasing property from the City with terms of five or more years, have requested and consented to Section 6 (e) of the Restrictive Covenants being amended to provide that the lot coverage of building, parking areas, and structures not exceed seventy percent (70%) of each lot, as evidenced by the statements contained in the attached Exhibits A-1 through A-4, which statements represent approximately 55 percent of the 221.7167 acres referred to above and which are hereby incorporated in and made a part of this Amendment No. One; and

WHEREAS, the City desires that Section 6(e) of the Restrictive Covenants be amended in

such manner.

Now, therefore, that for and in consideration of the sum of ten and no/100 dollars (\$10.00), and other good and valuable consideration, the receipt, and sufficiency of which is hereby acknowledged, the City, pursuant to the terms and authority provided by the Restrictive Covenants, does hereby amend Section 6(e) of the Restrictive Covenants, as to all real estate located within the Roanoke Centre for Industry and Technology and bearing Tax Map Nos. 7210103,(A and B), 7210106, 7210107, 7210101, 7280101, 7240102, 7240104, 7240101 and 7240103, 7280104, 7320102, 7210105, 7320103, 7280102, 7150109, 7160102, and 7200106, to read and provide to-wit:

- (e) Site coverage ratio. To ensure the attractiveness of the Centre and to provide for adequate space for off-street parking, buildings, structures and parking areas shall not cover more than seventy percent (70%) of the site or lot.

The Restrictive Covenants, except as noted above, and except as such Restrictive Covenants may have been previously waived, or modified as to specific parcels of property within RCIT. shall and do remain in effect,

EXECUTED at Roanoke, Virginia, this 15th day of February, 2012, as authorized by Ordinance No.38726-021610 adopted by the Council of the City of Roanoke on February 16, 2010.

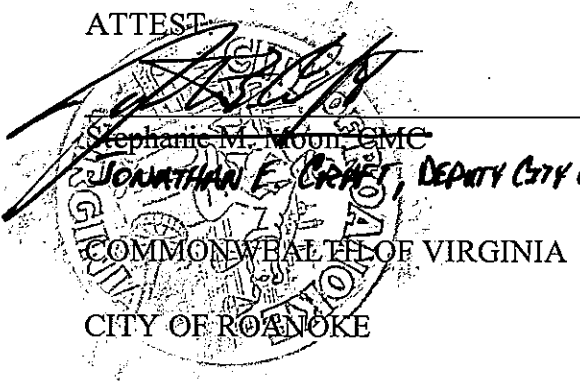
SIGNATURES TO FOLLOW

WITNESS the following signatures and seals:

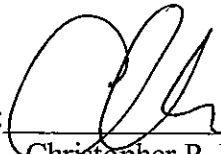
GRANTOR/ GRANTEE

CITY OF ROANOKE VIRGINIA

ATTEST



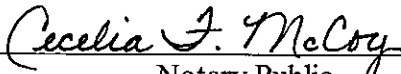
~~Stephanie M. Moon, GMC~~
JONATHAN E. CRAFT, DEPUTY CITY CLERK

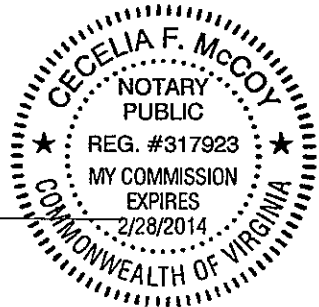
By:  (SEAL)
Christopher P. Morrill, City Manager

§
§ To-wit:
§

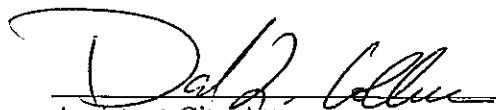
The foregoing instrument was acknowledged before me this 15th day of February, 2012 by Christopher P. Morrill, City Manager of the City of Roanoke, for and on behalf of the City.

My Commission expires: February 28, 2014.


Notary Public



APPROVED AS TO FORM


Assistant City Attorney

INSTRUMENT #120001471
RECORDED IN THE CLERK'S OFFICE OF
ROANOKE CITY ON
FEBRUARY 16, 2012 AT 02:23PM
BRENDA S. HAMILTON, CLERK
RECORDED BY: KMT

COMMONWEALTH OF VIRGINIA



OFFICIAL RECEIPT
ROANOKE CITY CIRCUIT COURT
315 W. CHURCH AVE.
ROANOKE, VA 24016
540-853-6708

DEED RECEIPT

DATE: 02/16/12 TIME: 14:23:33 ACCOUNT: 770CLR120001471 RECEIPT: 12000003622
CASHIER: KMT REG: UC04 TYPE: AMEND PAYMENT: FULL PAYMENT
INSTRUMENT : 120001471 BOOK: PAGE: RECORDED: 02/16/12 AT 14:23
GRANTOR: CITY OF ROANOKE EX: Y LDC: CI
GRANTEE: CITY OF ROANOKE EX: Y PCT: 100%
AND ADDRESS :

RECEIVED OF : CITY OF ROANOKE
: \$.00

DESCRIPTION 1: RESTRICTIONS 1493-833 & 1495-1797

2:
CONSIDERATION: .00 A/VAL: .00
000 ** ZERO PAYMENT ** .00

PAGES: 4 OP 0
NAMES: 0
MAP: 7210106
PIN: 7210101

TENDERED : .00
AMOUNT PAID: .00
CHANGE AMT : .00

CLERK OF COURT: BRENDA S. HAMILTON