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**CORRECTIVE AMENDMENT TO MERRYMOUNT ON LAKE GASTON AMENDED
AND RESTATED DECLARATION OF PROTECTIVE COVENANTS**

THIS CORRECTIVE AMENDMENT TO MERRYMOUNT ON LAKE GASTON AMENDED AND RESTATED DECLARATION OF PROTECTIVE COVENANTS is made as of the 22 day of August, 2022, by **MERRYMOUNT PROPERTY OWNERS' ASSOCIATION, INC.**, a Virginia non-stock corporation ("Association" - to be indexed as "Grantor" and "Grantee").

WITNESSETH:

WHEREAS, the residential community known as Merrymount is subject to the Merrymount On Lake Gaston Amended and Restated Declaration of Protective Covenants dated July 14, 2014 and recorded on August 8, 2014 in the Clerk's Office of the Circuit Court of the County of Mecklenburg, Virginia ("Clerk's Office"), as Instrument #140002511, at Page 0015, *et seq.*, as amended and/or supplemented (also referred to herein as "Declaration");

WHEREAS, the Merrymount community and subdivision is governed by the Merrymount Property Owners' Association, Inc. ("Association"), as provided in the Declaration, and the Association's Bylaws, Articles of Incorporation, and duly adopted Rules and Regulations; and

WHEREAS, the Declaration is an amendment and restatement of the original Merrymount Declaration of Protective Covenants, recorded in the Clerk's Office in Deed Book 504, Page 489 *et seq.* ("Original Declaration");

WHEREAS, the Association's Board of Directors ("Board") has objectively verified that the Declaration contains a scrivener's error that requires clarification and correction in accordance with Section 55.1-1830(F) of the Virginia Property Owners' Association Act ("Act");

WHEREAS, the specific scrivener's error was the inadvertent omission in the Declaration of the amendment provision contained in Article XIII, Section 1 of the Original Declaration, which the Board has confirmed with the drafter of the instrument that the amendment portion of this Section was mistakenly omitted from the recorded Declaration;

WHEREAS, at a duly called meeting of the Board of Directors of the Association held on the 22 day of August, 2022, at least two-thirds of the members of the Board approved this Corrective Amendment, upon a vote in accordance with Section 55.1-1830(F) of the Act, in order to clarify and correct the above-described scrivener's error; and

NOW, THEREFORE, FURTHER WITNESSETH that, in accordance with Section 55.1-1830(F) of the Act, at least two-thirds of the Board of Directors of the Association has, upon a vote of the members of the Board of Directors, approved this Corrective Amendment, so that the aforesaid Declaration is hereby amended as follows:

1. Article XIII, Section 1 of the Declaration is hereby amended by the addition of a new second sentence so that the amended version of Article XIII, Section 1 of the Declaration, in its entirety, is as follows:

Section 1. Duration and Amendment.

The Covenants shall run with and bind the land and shall inure to the benefit of and shall be enforceable by the Association or the owner of any Residential Lot in the Subdivision, their respective legal representatives, heirs, successors and assigns. The Declaration may be amended upon the affirmative vote of a majority of the then Owners of Residential Lots at a duly held meeting of the Association, and the recordation of an instrument setting forth such amendment in the applicable Clerk's Office.

2. Except as herein expressly amended, the aforesaid Declaration as amended and/or supplemented shall remain in full force and effect.

3. This Corrective Amendment shall be effective upon its recordation in the Clerk's Office of the Circuit Court of the County of Mecklenburg, Virginia.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK –
SIGNATURE PAGE AND CERTIFICATE TO FOLLOW]**

IN WITNESS WHEREOF, at least two-thirds (2/3) of the Board of Directors of Merrymount Property Owners' Association, Inc., adopted, by its approval upon a vote of the members of the Board of Directors, this Corrective Amendment To Merrymount on Lake Gaston Amended and Restated Declaration Of Protective Covenants.

MERRYMOUNT PROPERTY OWNERS' ASSOCIATION, INC.,
A Virginia non-stock corporation

By Lisa Handy
Lisa Handy, President

By Patty McHenry
Patty McHenry Secretary

COMMONWEALTH OF VIRGINIA
COUNTY OF Mecklenburg

I, the undersigned Notary Public in and for the County and State aforesaid, do hereby certify that Lisa Handy, whose name is signed as President of Merrymount Property Owners' Association, Inc. to the foregoing Corrective Amendment to Merrymount At Lake Gaston Amended and Restated Declaration of Protective Covenants, has acknowledged the same before me in my County aforesaid.

Given under my hand this 26 day of August, 2022.

My Commission Expires: 1-31-2025
Notary Registration No.: 7909674

[Signature]
Notary Public

COMMONWEALTH OF VIRGINIA
COUNTY OF Mecklenburg

JOSHUA MEEK
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES JAN. 31, 2025
COMMISSION # 7909674

I, the undersigned Notary Public in and for the County and State aforesaid, do hereby certify that Patty McHenry, whose name is signed as Secretary of Merrymount Property Owners' Association, Inc. to the foregoing Corrective Amendment to Merrymount At Lake Gaston Amended and Restated Declaration of Protective Covenants, has acknowledged the same before me in my County aforesaid.

Given under my hand this 26 day of August, 2022.

My Commission Expires: 1-31-2025
Notary Registration No.: 7909674

[Signature]
Notary Public

JOSHUA MEEK
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES JAN. 31, 2025
COMMISSION # 7909674

CERTIFICATE OF PRESIDENT AND SECRETARY

The President and the Secretary of the Merrymount Property Owners' Association, Inc., hereby certify that, in accordance with Section 55.1-1830(F) of the Virginia Property Owners' Association Act, the foregoing Corrective Amendment to Merrymount At Lake Gaston Amended and Restated Declaration of Protective Covenants was consented to and approved by at least two-thirds (2/3) of the Board of Directors by their vote at its meeting on the 22 day of August, 2022. The Merrymount community is located in the County of Mecklenburg, Virginia, and the Merrymount On Lake Gaston Amended and Restated Declaration of Protective Covenants is recorded in the Clerk's Office of the Circuit Court of the County of Mecklenburg, Virginia as Instrument #140002511, in Pages 0015, *et seq.*

Date:

Date:

By: Lisa Handy
[Signature], President

Attest: Patty McHenry
[Signature] Secretary

COMMONWEALTH OF VIRGINIA
COUNTY OF Mecklenburg

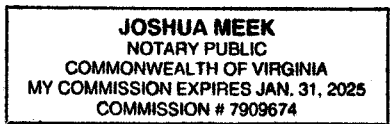
I, the undersigned Notary Public in and for the County and State aforesaid, do hereby certify that Lisa Handy, whose name is signed as President of Merrymount Property Owners' Association, Inc. to the foregoing Corrective Amendment to Merrymount on Lake Gaston Amended and Restated Declaration of Protective Covenants bearing date of the 22 day of August 2022, has acknowledged the same before me in my County aforesaid.

Given under my hand this 26 day of August, 2022.

My Commission Expires: 1-31-2025
Notary Registration No.: 7909674

[Signature]
Notary Public

COMMONWEALTH OF VIRGINIA
COUNTY OF Mecklenburg



I, the undersigned Notary Public in and for the County and State aforesaid, do hereby certify that Patty McHenry, whose name is signed as Secretary of Merrymount Property Owners' Association, Inc. to the foregoing Corrective Amendment to Merrymount on Lake Gaston Amended and Restated Declaration of Protective Covenants bearing date of the 22 day of August 2022, has acknowledged the same before me in my County aforesaid.

Given under my hand this 26 day of August, 2022.

My Commission Expires: 1-31-2025
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[Signature]
Notary Public

