

**AMENDMENT TO
AMENDED AND RESTATED DECLARATION OF
THE ALGONQUIN ASSOCIATION**

THIS AMENDMENT TO AMENDED AND RESTATED DECLARATION OF THE ALGONQUIN ASSOCIATION made as of October 21, 2015, by THE ALGONQUIN ASSOCIATION (the "Association"), a Virginia non-stock corporation and condominium association composed of the unit owners owning units in The Algonquin Association (the "Condominium") (Association is Grantor and Grantee for recording purposes).

WITNESSETH:

WHEREAS, the Amended And Restated Declaration Of The Algonquin Association was recorded in the Clerk's Office of the Circuit Court of the City of Norfolk, Virginia ("Clerk's Office"), on December 15, 2005, as Instrument No. 050053159, as amended (the "Declaration");

WHEREAS, the Declaration may be amended by agreement of Unit Owners to which two-thirds of the aggregate Percentage Interest in the Condominium appertain;

WHEREAS, it is the desire of the owners to amend the Declaration to shift from the Unit Owners to the Association the responsibility for replacement of the windows serving the Units and to specify other Unit and Limited Common Element components for which the Association will be responsible, as set forth herein; and

WHEREAS, notice having been given, a meeting having been duly called and held and the requisite approval of Unit Owners having been obtained.

NOW, THEREFORE, pursuant to the rights given to and reserved by the Association and the Unit Owners to amend the Declaration and in accordance with the Virginia Condominium Act, Va. Code Ann. Section 55-79.39 *et. seq.*, as amended (the "Act"), the Declaration is hereby amended as follows:

Section 8.4 is hereby amended and restated in its entirety as follows:

8.4. Association Responsibility for Units and Limited Common Elements.
The Association shall, as a Common Expense, be responsible for the following portions of the Units and Limited Common Elements:

GPIN #: SEE ATTACHED

PREPARED BY: VANDEVENTER BLACK LLP
101 W. MAIN STREET, SUITE 500
NORFOLK, VIRGINIA 23510

- (a) making structural repairs to and replacement of the balconies, patios and cinderblock screen walls;
- (b) replacing the Limited Common Element windows (including the jambs, frames and casings) serving the Units, excluding hardware other than in connection with window replacement and glass breakage;
- (c) to the extent determined by the Board of Directors, maintenance of the heating and cooling equipment that is a part of each Unit; and
- (d) to the extent determined by the Board of Directors, structural repairs to and replacement of other Unit or Limited Common Element components;

Except as modified by this amendment, the Declaration, as amended, is expressly ratified, affirmed and shall remain in full force and effect.

THE ALGONQUIN ASSOCIATION

By *Glenda Greenhouse*
Glenda Greenhouse, President
 Print name

COMMONWEALTH OF VIRGINIA,
 CITY OF NORFOLK, to-wit:

The foregoing instrument was acknowledged before me, the undersigned Notary Public, by Glenda Greenhouse, President of The Algonquin Association, who did state that unit owners to which 2/3 of the aggregate percentage interest in the Condominium appertain approved the foregoing amendment or ratifications thereof.

Given under my hand this 6th day of November, 2015.

Nicole D. Wright
 Notary Public
7550277
 Notary Registration No.

My Commission Expires: 03/31/2017

