

0674 Prepared by and return to:  
1492 Vandeventer Black LLP  
101 W. Main Street, Suite 500  
World Trade Center  
Norfolk, Virginia 23510

Tax Parcel Number:  
Attached

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**FIRST AMENDMENT TO  
BY-LAWS  
OF  
BRICKSHIRE COMMUNITY ASSOCIATION, INC.**

THIS AMENDMENT TO BY-LAWS OF BRICKSHIRE COMMUNITY ASSOCIATION, INC. (the "Amendment") is made as of this 28 day of February 2018.

**WITNESSETH:**

**WHEREAS**, the Declaration of Covenants, Conditions and Restrictions for Brickshire ("Declaration") was recorded April 20, 2000, among the land records of New Kent County, Virginia in Deed Book 0294 at Page 0523 declaring that certain property shall be held, sold and conveyed subject to easements, restrictions, covenants and conditions established in the Declaration;

**WHEREAS**, the Articles of Incorporation of Brickshire Community Association, Inc. ("Articles") were executed on February 15, 2000, and a Certificate of Incorporation was issued by the Commonwealth of Virginia State Corporation Commission on March 17, 2000;

**WHEREAS**, the initial By-Laws of Brickshire Community Association ("By-Laws") were adopted by the Brickshire Community Association, Inc. ("Association") Board of Directors ("Board") on August 23, 2017;

**WHEREAS**, Section 6.6(b) of the By-Laws provides that By-Laws may be amended only by the affirmative vote or written consent, or any combination thereof, of Voting Delegates representing sixty-seven percent (67%) of the total Class "A" votes in the Association;

**WHEREAS**, as provided herein, the Association wishes to amend the By-Laws; and,

**WHEREAS**, the Association has complied with Section 6.6(b) of the By-Laws.

**NOW, THEREFORE**, in consideration of the foregoing and in accordance with Section 6.6(b) of the By-Laws, the By-Laws are amended as follows:

1. The following subsection is added to the end of Section 3.19 of the By-Laws as new subsection (p):

*(p) approving, in the Board's sole discretion, the Association purchase all or any part of any Golf Course Amenity, as defined in the Declaration, with funds deposited in capital or expense accounts, funding the purchase of all or any part of any Golf Course Amenity by levying an assessment against each Owner and Unit as a Common Expense, financing the acquisition of such Golf Course Amenity by borrowing, or any combination thereof. As provided in the Declaration, the Board of Directors may also finance the purchase of all or any*

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part of any Golf Course Amenity by securing, by an encumbrance or hypothecation of any portion of the Golf Course Amenity, the Common Area, or other assets of the Association, including the assignment and pledge of all revenues to be received by the Association, including, but not limited to, General Assessments, Neighborhood Assessments and Special Assessments in order to secure the repayment of any sums borrowed by the Association from time to time.

2. The following sentence is added to the end of Section 3.23 of the By-Laws:

*Nothing contained in this subsection shall be construed to limit the authority of the Board of Directors provided in Section 5.6 of the Declaration.*

Except as modified by this Amendment, all the terms and provisions of the By-Laws are hereby confirmed and ratified and shall remain in full force and effect.

If any provision of this Amendment or the application thereof to any person or circumstance shall to any extent be invalid or unenforceable, then the remainder of this Amendment or the application of such provision to any other person or circumstance shall not be affected thereby, and each such provision shall be valid and enforceable to the fullest extent permitted by law.

Grantees Address:  
Property Management Assoc., Inc  
4605 Pembroke Lake Cir. #302  
Va. Beach, VA - 23455

BRICKSHIRE COMMUNITY ASSOCIATION;  
INC.

By *Gerald Assessor*  
GERALD ASSESSOR, President

ATTEST:

*Deborah Richards*  
Deborah Richards, Secretary

COMMONWEALTH OF VIRGINIA,  
COUNTY OF NEW KENT, to-wit:

I, the undersigned, a Notary Public in and for the jurisdiction aforesaid, do hereby certify that Gerald Assessor, President of BRICKSHIRE COMMUNITY ASSOCIATION, INC., a Virginia nonstock corporation, whose name is signed to the foregoing instrument, has acknowledged the same before me in the aforesaid jurisdiction on behalf of the Association. GIVEN under my hand and seal on February 28, 2018.

*Mary Kathryn Riddle*  
Notary Public

My commission expires: 12/31/2021  
My notary registration number: 7713831

